

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

Jayakrishnan Nair, et al.)	CASE # C19-1296-MJP
)	
Plaintiffs,)	Associated Case # C19-1307-MJP
)	
v.)	MOTION FOR SANCTIONS
)	
Channa Copeland, et al.,)	
)	
Defendants.)	

I. RELIEF REQUESTED

Comes Now Plaintiff Jayakrishnan Nair ("Jay") and hereby request the Honorable Court to (a) protect his rights as a Pro Se litigant being violated through deliberate abuse of process and abuse of power (as a *de facto* officer of Court) by opposition Counsels; and (b) protect from the harassment of malicious prosecution that is obviously frivolous and designed only for the nefarious purpose of extending Omana's isolation through egregiously baseless manipulation of legal processes.

II. STATEMENT OF FACTS

MR. ERMIN CIRIC AND THE EFFORTS TO RE-NOTE STRICKEN HEARING ON 8/22

1. After Plaintiffs sent a legal demand letter on 7/26 [Appendix C at Docket 1] to Ms. Channa Copeland asking to arrange a meeting with Omana on or before August 5th, instead of responding to the letter or communicating any updates or whereabouts of Omana, she filed a petition for instructions with King County Superior Court on August 6th, and noted a hearing on 8/22.

1 2. In parallel however, plaintiffs had already started this Civil Rights lawsuit in Federal Court and
2 removed and attached the Guardianship from State Court [Ex 201: Notice of Removal].

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4 3. On 8/21, Jay informed the King County Superior Court Clerk Ms. Danielle Anderson, opposition
5 Counsel and Ms. Copeland that the guardianship matter has been removed to Federal Court and the
6 hearing set for 8/22 was therefore requested to be stricken from calendar. [Ex202: Letter Clerk
7 Removal], [Ex 203: Email to Clerk and Opp. Counsel 1].

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10 4. The Hon. Clerk promptly responded, confirming the hearing had been stricken [Ex 204: Clerk
11 Confirmation of Hearing Strike] from the calendar.

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13 5. However, a few minutes later she retracted the confirmation and said the opposition counsel had
14 informed her that "the documents I sent earlier did not pertain to this case" [Ex 205], and that Mr. Ermin
15 Ciric had re-noted the canceled hearing in violation of local rules. Jay responded with a letter stating that
16 is a violation of the noting procedure and that the hearing should stay stricken as announced [Ex 211]

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19 6. Jay sent a series of emails back and forth between Mr. Ciric [Ex 206: 11 Email Exchanges between Mr.
20 Ciric and Jay on the legality of the hearing post Federal Removal] and the Clerk trying to convince that
21 the Federal Removal automatically suspended all State Court action, but Mr. Ciric adamantly refused to
22 cancel the hearing and on the contrary, doubly reconfirmed that he will be attending the hearing.

23
24 7. Based on his intransigence to hold the hearing despite the law being very clear that any state action
25 after Federal Removal is null and void, Jay had to cancel all his schedule for the next day and travel to
26 state court on 8/22 at 10:30am. As he was checking into the Courthouse, he received an email from Mr.
27 Ciric that finally he had been convinced that holding the hearing was breaking the law [Ex 207].
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DR. ANDREW HAHN'S FRIVOLOUS TRO & ATTEMPTS TO STOP JAY FROM VISITING OMANA

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8. Dr. Andrew Hahn was served with the Federal Complaint on 8/26 [Ex 208: Dr.Hahn Service]

9. A complete set of all emails exchanged with all staff at Harborview is in [Ex 209: Hahn Emails]. As can be seen, plaintiffs had at all times been very polite and even praising of Dr. Hahn's professional services in the earlier emails. After Dr. Hahn asked Jay and Raji to stop visiting their mom for two weeks, they obeyed his request; and thereafter most politely requested to be allowed to be reunited with their mother after two weeks. Despite the worst provocation, plaintiffs have always remained civil yet firm.

10. When Dr. Hahn or Harborview did not respond, Plaintiffs sent demand letters asking to meet with their mother and to know her condition. Their only response was to point to the guardian Channa.

11. It was only after this that the Plaintiffs filed the federal complaint and served the Defendants Harborview and Dr. Hahn, and followed it up with yet another request to arrange a meeting with Omana. The email reminded Dr. Hahn of LEGAL consequences to his reputation and to his career if these circumstances forced Omana to succumb to her stress from this diabolical illegal isolation. Absolutely nothing illegal was threatened; but only the LEGAL ramifications from their evil plans.

12. Continuing with the ongoing general theme of the "next day retaliations", Dr. Hahn chose it wise to file a frivolous and baseless Temporary Restraining Order with King County. [Ex 210: Hahn TRO] the very next day after getting served by King County Sheriff of Complaint and Summons. In this TRO, he has misled the court by making several Factually incorrect statements, including that the Guardian has a protection order against Jay, which is an absolute and complete lie made under penalty of perjury.

1 13. The petition further "alleges" that Jay threatened "Hitler and Final Solution" in the Federal
2 Complaint. However, it can easily be seen by anyone reading the filed complaint that this phrase was
3 taken completely OUT OF CONTEXT. Jay did not use it in any threatening sense, as can be seen from
4 [Para 33, Page 12] from the Complaint at Docket 1, but only as a literary analogy to the evil being done
5 to Omana. This is a ridiculous example of how maliciously someone is willing to twist facts and words.

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8 14. Clearly the objective of the frivolous TRO is to find another excuse or reason to stop Jay from visiting
9 Omana, if it is indeed correct that she is being held at Harborview hospital per the response to petition.

10
11 15. Mr. Hahn further laughably states he feels unsafe walking around because Plaintiffs "threatened" to
12 publish the true facts of their mothers plight online and complain to authorities, as they have the right to
13 do. Nothing in the emails is remotely threatening anything illegal, nor there have been any other contact

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15 16. Please note that Dr. Hahn readily admits that the Harborview Administration was responsible for the
16 decision to disallow visitors for Omana, and that it was entirely a REACTIONARY DECISION to the police
17 complaint that Jay and Raji had filed the previous day and forwarded to him. He does not make any
18 mention about any foreign substance story, showing that was just another figment of imagination.

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21 17. Dr. Hahn had not found it necessary to start any "harassment" petition until AFTER the federal
22 lawsuit was commenced and served on him. It is not legal harassment to file a bona fide lawsuit.

23
24 **MS. SAPHRONIA YOUNG'S RESPONSE TO PETITION TO TERMINATE**

25 18. Please see [Docket 19: Reply to the Response] counting a number of prevarications and willful
26 misrepresentations, the most cruel of which was playing innocent while still keeping Omana in isolation.
27
28 When Jay asked Ms. Young for specific performance of her promise to Court, the response was silence.

III. EVIDENCE RELIED ON

- 1. Exhibits Attached Herein.
- 2. All Declarations and Exhibits filed hitherto under Dockets 1-21

IV. LEGAL ANALYSIS

Court's Inherent Authority to Sanction

“A district court has inherent power to sanction a party who ‘has willfully abused the judicial process or otherwise conducted litigation in bad faith.’” *Secrease v. W. & S. Life Ins. Co.*, 800 F.3d 397, 401 (7th Cir. 2015) (quoting *Salmeron v. Enterprise Recovery Systems, Inc.*, 579 F.3d 787, 793 (7th Cir. 2009)). see also *In re Jemsek Clinic, P.A.*, 850 F.3d 150, 157 (4th Cir. 2017). Bad faith is “[d]ishonesty of belief or purpose.” BLACK’S LAW DICTIONARY 149 (8th ed.2004). Here there can be no reasonable question that the defendants acted in bad faith.

These sanctions are appropriate where a party or their counsel has practiced fraud upon the Court, acts in “bad faith by delaying or disrupting the litigation,” hampers enforcement of a court order, or when a party is responsible for defiling “the very temple of justice.” *Chambers v. NASCO, Inc.*, 501 U.S. 32, 46 (1991) (quotations omitted). “This power is ‘permissibly exercised not merely to remedy prejudice to a party, but also to reprimand the offender and to deter future parties from trampling upon the integrity of the court.’” *Flextronics Int’l, USA, Inc. v. Sparkling Drink Sys. Innovation Ctr. Ltd.*, 230 F. Supp. 3d 896, 906–07 (N.D. Ill. 2017) (quoting *Salmeron*, 579 F.3d at 797). Due to “their very potency, inherent powers must be exercised with restraint and discretion,” but “[a] primary aspect of that discretion is the ability to fashion

1 an appropriate sanction for conduct which abuses the judicial process.” Chambers, 501 U.S. at
2 44-45. These powers should be invoked when “in the informed discretion of the court, neither
3 [a] statute nor the Rules are up to the task.” Id. at 50.

4 This authority includes circumstances where “conduct sanctionable under the Rules was
5 intertwined within conduct that only the inherent power could address,” because “requiring a
6 court first to apply Rules and statutes containing sanctioning Case: 1:16-cv-04182 Document #:
7 224 Filed: 03/28/18 Page 10 of 15 PageID #:3666 11 provisions to discrete occurrences before
8 invoking inherent power to address remaining instances of sanctionable conduct would serve
9 only to foster extensive and needless satellite litigation, which is contrary to the aim of the
10 Rules themselves.” Id. Therefore, “the inherent power of a court can be invoked even if
11 procedural rules exist which sanction the same conduct.” Id. at 49.

12 Attorneys can be sanctioned pursuant to the Court's inherent authority. Carr v. Tillery,
13 591 F.3d 909, 919 (7th Cir. 2010) (“A court has inherent power, which is to say a common law
14 power, to punish by an award of reasonable attorneys' fees or other monetary sanction, or to
15 prevent for the future by an injunction, misconduct by lawyers appearing before it.”). Indeed,
16 severe sanctions can be imposed against attorneys pursuant to the Court’s inherent authority
17 when an attorney acts in bad faith. See Salmeron, 579 F.3d at 793 (affirming sanction of
18 dismissal with prejudice after court found that attorney acted in bad faith). “[B]efore a court
19 may impose sanctions sua sponte, it must give the offending party notice of its intent to do so
20 and the opportunity to be heard.” Johnson v. Cherry, 422 F.3d 540, 551 (7th Cir. 2005).

21 Furthermore, WA State RPC 3.3, entitled “Candor Toward the Tribunal” mandates that
22 “(a) A lawyer shall not knowingly: (1) make a false statement of material fact or law to a
23 tribunal.” Ms. Young has violated this epithet of professional conduct in wanton disdain.
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Pro Se Litigant is Eligible for Attorney Fees Under Certain Circumstances

Under the "bad faith" theory promulgated in Alyeska Pipeline Serv, Co. Vs Wilderness Society, 421 US 240, 275 (1975), a Pro Se litigant is eligible to receive Attorney Fees if the Opposition Counsel has acted in bad faith to take advantage of his lack of experience. Also see Port-O-San Corp. v. Teamsters Local Union No. 863 Welfare & Pension Funds, 363 N.J.Super. 431, 441, 833 A.2d 263 (App. Div. 2003), fn 5.

Ms. Saphronia Young Wilfully Made False statements on Her Response.

She tried to convince the Honorable Court that there were no Civil Rights Violations and that communications were not being restricted. However. when Jay asked her to make good on that by arranging a meeting with his mother or at least a phone call, she did not respond, showing the disingenuous nature of her responsive pleading, which also included several other fibs as pointed out in the [Docket 19]. This is fraud on Honorable Court. Judges have an "inherent authority" to impose sanctions for blatant violations of our court rules apart from any specific provisions setting forth those sanctions. Mandel v. UBS/PaineWebber, Inc., 373 N.J.Super. 55, 82, 860 A.2d 945, 961 (App. Div. 2004).

In Triffin v. Automatic Data Processing, Inc., 394, N.J.Super 237, 926 A.2d 362 (2007), the Appellate Division held: A fraud on the court occurs "where it can be demonstrated, clearly and convincingly, that a party has sentiently set in motion some unconscionable scheme calculated to interfere with the judicial system's ability impartially to adjudicate a matter by improperly influencing the trier or unfairly hampering the presentation of the opposing party's claim or defense."2 394 N.J.Super. at 251. Ms. Young's response is entirely a subterfuge.

1 “There is an irrefragable linkage between the courts’ inherent powers and the rarely-
2 encountered problem of fraud on the court. Courts cannot lack the power to defend their
3 integrity against unscrupulous marauders; if that were so, it would place at risk the very
4 fundament of the judicial system.” Triffin, *supra*, 394 N.J.Super. at 253.
5

6
7 **Mr. Ermin Ciric was aware State Proceeding would be Null & Void**

8 As a licensed attorney, Mr. Ciric should have (and must have) known that the filing of a
9 removal petition terminates the state court's jurisdiction until the case is remanded, even in a
10 case improperly removed (as incorrectly claimed). See *Maseda v. Honda Motor Co., Ltd.*, 861
11 F.2d 1248, 1255 (11th Cir. 1988), citing *Lowe v. Jacobs*, 243 F.2d 432, 433 (5th Cir. 1957).
12

13 Any action taken by the state court after the filing of the removal notice with the state
14 clerk is void ab initio. See *Nat’l S.S. Co. v. Tugman*, 106 U.S. 118, 122 (1882); *E. D. Sys. Corp. v.*
15 *Sw. Bell Tel. Co.*, 674 F.2d 453, 457 (5th Cir. 1982). The question of whether a removed case
16 should be retained or remanded is for the federal court to decide. *Id.* at 457-58. Where a state
17 court continues to exercise jurisdiction over a case after its removal, the federal court has
18 authority to enjoin the state court proceedings. See *E. D. Sys. Corp.* 674 F.2d at 457.
19

20 Yet, he purposely did not agree to strike the hearing (hoping to get an illegal ruling by
21 hiding the facts from Commissioner) until the very last minute after Jay had already canceled all
22 other plans for the day and was forced to appear for a canceled hearing. This cost him a full
23 day's productivity and opportunity costs, travel costs and a lot of anxiety and stress at the last
24 minute rushing to Court on a hearing that was already stricken yet re-noted in violation of Local
25 Rules 7(d) also. It is a lawyer’s obligation to participate in upholding the integrity, dignity, and
26 purity of the courts. In the matter of *Jack L. Seelig*, 180 N.J. 234, 248, 850 A.2d 477, 486.
27
28

1 **Dr. Hahn's "Harassment" Petition is Litigation Abuse/ Abuse of Process**

2 Dr. Hahn is well aware that Jay is an erudite Scholar with no criminal convictions and
3 that he has always been respectful in person. As a Biotech executive working closely with
4 doctors, it is part of his career to be able to access Harborview & University of Washington
5 Campus (he is also a *summa cum laude* alum of UW), and that the restraining order serves
6 absolutely no purpose other than as a legal strategy in his defense against the Federal lawsuit.
7 This is bad faith litigation by definition. Nothing in any correspondence from Jay is there any
8 indication of anything illegal or violent, but merely a warning of the consequences to his career
9 and reputation once the story about Omana's isolation leading to her (possible) death becomes
10 public (if that happens). That is nothing more than a good faith warning seeking to avoid such a
11 catastrophic outcome for all parties in pragmatic sense, and has nothing illegal about it. If this
12 were the standard used for harassment and restraining orders, practically every journalist and
13 attorney would have several dozen restraining orders against them from all their opponents.

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17 Dr. Hahn obtained a frivolous and facetious TRO [Ex 210], which he only did it per the
18 advice of his legal team and presumably to strengthen his own defense by showing Jay in a bad
19 light. He never felt any physical threat whatsoever, nor did need to, and furthermore he has
20 BLATANTLY LIED on Page 5, line item 8, that "there is an order for protection for his mother's
21 court appointed guardian" when NONE EXISTS. He cherry picked some lines from a 143 page
22 complaint and twisted their context completely opposite to deliberately defraud the Honorable
23 Commissioner at King County Ex Parte Court. That is again bad faith litigation by definition.

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25 These representations are exactly the type of conduct for which Rule 11 exists and is
26 intended to combat. See *In re:Kunstler*, 914 F.2d 505, 524 (4th Cir. 1990) (holding that the
27 primary purpose of Rule 11 is "to deter attorney and litigant misconduct . . .") (emphasis
28

1 added); see also *Brubaker v. City of Richmond*, 943 F.2d 1363, 1374 (4th Cir. 1991) (holding
2 that the purposes of Rule 11 include “compensating the victims of the Rule 11 violation, as well
3 as punishing present litigation abuse. . .”) (emphasis added). The timing of his petition says it
4 all. Omana is being held in the same hospital so this is clearly a strategic move abusing Courts.
5

6
7 **VI. CONCLUSION**

8 For the Foregoing Reasons, it is humbly prayed that the Honorable Court should use it's
9 discretionary powers to sanction Ms. Young, Mr. Ciric and Dr. Hahn as It deems proper, obviate further
10 obstruction of justice and abuse of litigation, grant attorney fees, opportunity costs and damages for the
11 bad faith proceedings against Jay Nair (per *Alyeska Pipeline v. Wilderness Soc'y* 421 US 240), and
12 remove, enjoin and dispose of all frivolous State matters supplemental to this Federal case. As Pro Se
13 litigants, Plaintiffs are begging the Honorable Court for a Fair and Equitable Avenue of Justice.
14

15
16 Submitted Most Respectfully,

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18 

19
20 DATE: 09/14/2019

21 Jayakrishnan Nair

22 jknair@gmail.com
23 (425) 312-3205 (P)
24 (206) 486 -4724 (F)
25
26
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DECLARATION OF MAILING

The undersigned declares under the penalty of perjury under the laws of the State of Washington, that the following is true and correct:

I am over the age of 18 and a legal permanent resident of the United States, and as of the date shown below, actual notice was made by me to all known parties of the above-entitled action by mailing a copy(ies) of the following documents:

- 1. Motion for Sanctions
- 2. Eleven Exhibits

by packets of U.S. Mail, and/or electronic mail, postage prepaid, as follows:

- 1. Ermic Ciric, Regimbal, McDonald & Young PLLC,
612 S. 227th St Des Moines WA 98198
- 2. Saphronia Young, Regimbal, McDonald & Young PLLC,
612 S. 227th St Des Moines WA 98198
- 3. Jennifer Boharski, Attorneys General Office,
800 5th Ave Suite 2000, Seattle, WA 98104
- 4. Brian P. Waters, Johnson Graffe Keay Moniz & Wick, LLP,
925 Fourth Avenue Suite 2300 , Seattle, WA 98104-1158

DATED this 14th day of September, 2019.



Jayakrishnan Nair
 11031 Elliston Way NE
 Redmond WA 98053
 (425) 312 3205 (P)
 (206) 486 -4724 (F)

EX 201

FILED ENTERED
LODGED RECEIVED

IN THE UNITED STATES DISTRICT COURT
FOR WESTERN DISTRICT OF WASHINGTON

AUG 19 2019 GT

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY *KSM*

19-CV-01307

CASE NO. 18-04-05231-6 SEA

NOTICE OF REMOVAL OF ACTION
UNDER 28 U.S.C. § 1441 (b) AND 28
U.S.C. § 1332 (a)

(DIVERSITY OF CITIZENSHIP,
FEDERAL QUESTION)

In the Guardianship of:

Omana Thankamma.

An Incapacitated person

NOTICE OF REMOVAL

TO THE HONORABLE CLERK OF THE ABOVE ENTITLED COURT

PLEASE TAKE NOTICE THAT:

THIS action is a civil action of which this Court has original jurisdiction under 28 U.S.C. §1331; and which may be timely removed within a one year timeframe to this Court by respondents pursuant to provisions of 28 U.S.C. 1441(b) in that it arises under a treaty of the United States, specifically the bilateral travel treaties emerging from the International Diplomatic Relations signed between the Heads of State of the USA and the Republic of India, allowing free and safe passage to citizens of either nation wishing to return home from a trip to visit the other nation. Holding a citizen of India hostage illegally without her or her family's permission is a direct violation of the diplomatic ties between the World's greatest biggest and greatest democracies.

COMPLAINT

Plaintiffs (Nair Family's) US Address:
c/o Jay Nair
11031 Elliston Way NE
Redmond WA 98053
(425) 312 3205 (t)
(206) 486 2724 (f)

According to the Constitution, the Supreme Court has original jurisdiction on all cases affecting those in which State is a Party, and the United States is a party as it guaranteed Omana's safe return to her home country per the B1-B2 terms. Omana is not wanted in any criminal proceeding in the United States, and never wanted or consented to having a guardian, and had actively exercised her right to refuse protective services per 74.34.067, despite which this unconstitutional guardianship was imposed on a citizen of another state against her will or her family's approval violating international treaties.

Furthermore, the action affects the Federal Civil Rights of Respondents and their Family Members, specifically pursuant to 48 U.S.C. §1983 making it a federal question. Damages in question are orders of magnitude above \$75,000. All respondents, including Mrs. Omana Thankamma, are citizens of India, which propels this matter to Federal Court under all of Diversity Jurisdiction, Supplemental Jurisdiction and Federal Question Jurisdiction.

DATED: 08/07/2019

Respectfully Submitted,



Jayakrishnan K. Nair

Son of Omana Thankamma
11031 Elliston Way NE
Redmond WA 98053
(201) 205 7500



Rajakumari Susheelkumar

Daughter of Omana Thankamma
11031 Elliston Way NE
Redmond WA 98053
(425) 312 3205

EX 202

From
Jayakrishnan K. Nair
11031 Elliston Way NE
Redmond WA 98053

To
The Honorable Clerk
King County Superior Court
516 3rd AVE
Seattle WA 98102

Ref: WAS Case #18-04-05231-6 SEA; now Federal Case #19-CV-01307-MJP
RE: The Guardianship of Ms. Omana Thankamma

Sub: Transfer of docket to Federal Court Clerk for the Western District of Washington
STRIKING of the Motion noted for 8/22/2019

Date: 08/19/2019

Respected Clerk for the Superior Court,

Kindly note that this matter has already been removed to Federal Court pursuant to 28 U.S.C. § 1441 (b) AND 28 U.S.C. § 1332 (a). Furthermore, the state court does not have jurisdiction to hear this matter as it is concerning the travel liberties of a legally visiting Indian citizen, given that Article III Sections I and II of the Constitution establishes that only Congress and Federal Courts can hear matters involving United States and it's bilateral travel treaties with other states such as India, which is what this matter infringes on. Ms. Thankamma is not wanted for any criminal action, and does not wish to stay in the United States unless she is allowed to be with her family. Under the present circumstances, Ms. Thankamma's Family has filed a Complaint against the Guardian with Federal Court (attached) as well as Removed this matter to the same court, and have also already filed a copy of the removal with the State court on 8/19. Attached also is a proof of mailing to the Guardian about the removal.

Accordingly, the Superior Court Clerk is requested to transmit the entire docket in this matter to the court of the aforementioned clerk, as well as STRIKE the hearing scheduled for 8/22/2019.

Yours Obediently,



Jayakrishnan Nair

jknair@gmail.com
(201) 205-7500 (Cell)

EX 203



Jayakrishnan Nair <jknair@gmail.com>

Removal to Federal Court and Striking of Motion for tomorrow

Jayakrishnan Nair <jknair@gmail.com>

Wed, Aug 21, 2019 at 4:00 PM

To: Rebecca Jenkins <Rebecca.Jenkins@rm-law.com>, Channa Copeland <channa@nscasemanagement.com>

Cc: danielle.anderson@kingcounty.gov, SCExParte@kingcounty.gov

Hello

Kindly see from attached documents that this guardianship is not under the jurisdiction of State Court, and has been removed to Federal Court under Hon. Judge Marsha Pechman (kindly find attached order of reassignment from Federal Court).



Here is the new case number: 19-CV-01307-MJP

The King County Superior Court Clerk (on cc) has been notified to transmit the docket to the clerk of the Federal Court, and to cancel any hearings (including the one that was set for tomorrow morning at 10:30 AM).

Thank you

Jayakrishnan

4 attachments

 **19718709529.pdf**
35K **LetterClerkRemoval.pdf**
210K **Declaration of Mailing.pdf**
281K **19718705925.pdf**
6158K

EX 204



Jayakrishnan Nair <jknair@gmail.com>

Removal to Federal Court and Striking of Motion for tomorrow

SC Ex Parte Department <SCExParte@kingcounty.gov>
To: Jayakrishnan Nair <jknair@gmail.com>

Wed, Aug 21, 2019 at 4:16 PM

Greetings:

Thank you for your email. **This matter will be stricken from the Clerk's internal calendar.**

- Pursuant to LCR 7: **H) Confirmation and Cancellation.** Confirmation is not necessary, but if the motion is stricken, the parties shall immediately notify the opposing parties.

If you have an questions or concerns please feel free to contact the Department at any time.

Sincerely,

Ex Parte Department

King County Superior Court

From: Jayakrishnan Nair <jknair@gmail.com>
Sent: Wednesday, August 21, 2019 4:00 PM
To: Rebecca Jenkins <Rebecca.Jenkins@rm-law.com>; Channa Copeland <channa@nscasemanagement.com>
Cc: Anderson, Danielle <Danielle.Anderson@kingcounty.gov>; SC Ex Parte Department <SCExParte@kingcounty.gov>
Subject: Removal to Federal Court and Striking of Motion for tomorrow

[EXTERNAL Email Notice!] External communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

[Quoted text hidden]

EX 205



Jayakrishnan Nair <jknair@gmail.com>

Removal to Federal Court and Striking of Motion for tomorrow

SC Ex Parte Department <SCExParte@kingcounty.gov>

Wed, Aug 21, 2019 at 4:39 PM

To: Jayakrishnan Nair <jknair@gmail.com>, Rebecca Jenkins <Rebecca.Jenkins@rm-law.com>, Channa Copeland <channa@nscasemanagement.com>

Cc: "Anderson, Danielle" <Danielle.Anderson@kingcounty.gov>, SC Ex Parte Department <SCExParte@kingcounty.gov>

Good Afternoon,

I apologize my understanding that the attachment was regarding the case.

Please disregard my email regarding striking the hearing for tomorrow it was a general email that I was instructed to send out to let parties know we receive your request.

We receive an email that these documents does not pertain to the cases.

Sincerely,

Ex Parte Department

King County Superior Court

From: Jayakrishnan Nair <jknair@gmail.com>

Sent: Wednesday, August 21, 2019 4:00 PM

To: Rebecca Jenkins <Rebecca.Jenkins@rm-law.com>; Channa Copeland <channa@nscasemanagement.com>

Cc: Anderson, Danielle <Danielle.Anderson@kingcounty.gov>; SC Ex Parte Department <SCExParte@kingcounty.gov>

Subject: Removal to Federal Court and Striking of Motion for tomorrow

[EXTERNAL Email Notice!] External communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Hello

[Quoted text hidden]

EX 211

From
Jayakrishnan K. Nair
11031 Elliston Way NE
Redmond WA 98053

To
The Honorable Clerk
King County Superior Court
516 3rd AVE
Seattle WA 98102

Ref: WAS Case #18-04-05231-6 SEA; now Federal Case #C19-01307-MJP
RE: The Guardianship of Ms. Omana Thankamma

Sub: Your Email Confirmation on **STRIKING** of the Motion noted for 8/22/2019

Date: 08/22/2019

Respected Clerk for the Superior Court,

Thank you for your email (attached 1) confirming that the hearing noted for today (8/22 at 10:30) has been stricken from the calendar pursuant to LCR 7(H). If the other party wishes to re-note despite the removal to Federal Court, it will need to be a new calendar note with adequate notice per Local Rules as all of us are aware.

Please note that we (Respondents) have also submitted a Notice of Disqualification (attached 2) for Hon. Commissioner Henry Judson. Thank you.

Kindly call me for any questions.

Yours Obediently,

A handwritten signature in black ink, appearing to read 'jknair', written over a light blue rectangular background.

Jayakrishnan Nair

jknair@gmail.com
(201) 205-7500 (Cell)

EX 206



Jayakrishnan Nair <jknair@gmail.com>

Guardianship of Thankamma - Hearing on Petition to Approve Inventory

Ermin Ciric <Ermin.Ciric@rm-law.com>

Wed, Aug 21, 2019 at 5:17 PM

To: Jayakrishnan Nair <jknair@gmail.com>

Cc: Ashley Catlett <Ashley.Catlett@rm-law.com>, Saphronia Young <Saphronia.Young@rm-law.com>, Rebecca Jenkins <Rebecca.Jenkins@rm-law.com>, "SCExParte@kingcounty.gov" <SCExParte@kingcounty.gov>, "danielle.anderson@kingcounty.gov" <danielle.anderson@kingcounty.gov>

Mr. Nair,

As you may know, my office represents the Guardian Channa Copeland. This is in response to your request that the hearing set for tomorrow be stricken. I will keep this email short as it is improper to argue with the clerk over email, you can present your argument tomorrow in court.

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Associate Attorney

LAW OFFICES OF

REGIMBAL, MCDONALD & YOUNG, PLLC

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Des Moines, WA 98198

Phone: 206-212-0220

Fax: 206-408-2022

E-mail: ermin@rm-law.comWebsite: desmoineselderlaw.com

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Jayakrishnan Nair <jknair@gmail.com>

Guardianship of Thankamma - Hearing on Petition to Approve Inventory

Jayakrishnan Nair <jknair@gmail.com>

Wed, Aug 21, 2019 at 5:30 PM

To: Ermin Ciric <Ermin.Ciric@rm-law.com>

Cc: Ashley Catlett <Ashley.Catlett@rm-law.com>, Saphronia Young <Saphronia.Young@rm-law.com>, Rebecca Jenkins <Rebecca.Jenkins@rm-law.com>, "SCEXParte@kingcounty.gov" <SCEXParte@kingcounty.gov>, "danielle.anderson@kingcounty.gov" <danielle.anderson@kingcounty.gov>

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2 attachments

 **19718709529.pdf**
35K

 **notice of removal.pdf**
89K



Jayakrishnan Nair <jknair@gmail.com>

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Jayakrishnan Nair <jknair@gmail.com>

Wed, Aug 21, 2019 at 5:57 PM

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Cc: Ashley Catlett <Ashley.Catlett@rm-law.com>, Saphronia Young <Saphronia.Young@rm-law.com>, Rebecca Jenkins <Rebecca.Jenkins@rm-law.com>, "SCEXParte@kingcounty.gov" <SCEXParte@kingcounty.gov>, "danielle.anderson@kingcounty.gov" <danielle.anderson@kingcounty.gov>

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Jayakrishnan Nair <jknair@gmail.com>

Guardianship of Thankamma - Hearing on Petition to Approve Inventory

Ermin Ciric <Ermin.Ciric@rm-law.com>

Wed, Aug 21, 2019 at 6:02 PM

To: Jayakrishnan Nair <jknair@gmail.com>

Cc: Ashley Catlett <Ashley.Catlett@rm-law.com>, Saphronia Young <Saphronia.Young@rm-law.com>, Rebecca Jenkins <Rebecca.Jenkins@rm-law.com>

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I have been privy to your past pattern of sending voluminous emails in what appears to be an attempt to get *your* point across. However, email communication is not a requirement in civil proceedings but a privilege. I suggest moving forward you tone down the emails, otherwise I will request that we communicate by letter only. Typically, I support email communication as it tends to reduce costs. Duplicitous, voluminous, irrelevant, and excessive email communications do not have that same impact. I will not be participating in a back and forth email campaign with you. As indicated, if that becomes an issue then we will move forward with letter communications only.

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From: Jayakrishnan Nair <jknair@gmail.com>

Sent: Wednesday, August 21, 2019 5:57:23 PM**To:** Ermin Ciric <Ermin.Ciric@rm-law.com>**Cc:** Ashley Catlett <Ashley.Catlett@rm-law.com>; Saphronia Young <Saphronia.Young@rm-law.com>; Rebecca Jenkins <Rebecca.Jenkins@rm-law.com>; SCEXParte@kingcounty.gov <SCEXParte@kingcounty.gov>;



Jayakrishnan Nair <jknair@gmail.com>

Guardianship of Thankamma - Hearing on Petition to Approve Inventory

Jayakrishnan Nair <jknair@gmail.com>

Wed, Aug 21, 2019 at 6:08 PM

To: Ermin Ciric <Ermin.Ciric@rm-law.com>, "Anderson, Danielle" <danielle.anderson@kingcounty.gov>, SC Ex Parte Department <SCExParte@kingcounty.gov>

Cc: Ashley Catlett <Ashley.Catlett@rm-law.com>, Saphronia Young <Saphronia.Young@rm-law.com>, Rebecca Jenkins <Rebecca.Jenkins@rm-law.com>

Mr. Ciric:

First, This is confirming that per the Clerk's written confirmation today evening at 4:18pm, a copy of which is attached herewith, the hearing originally scheduled for tomorrow has been cancelled. The Clerk is aware that any hearing tomorrow held after a strike has been confirmed does not provide enough notice per Local Civil rules and is also illegal.

Second, I am advising you that I do not wish to receive any further emails from you of your firm and that all further correspondence only be by postal mails.

Thanks
Jay

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Subject: Re: Guardianship of Thankamma - Hearing on Petition to Approve Inventory

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Outlook-1474493465.png
5K

 **confirmationofhearingstrike.pdf**
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Guardianship of Thankamma - Hearing on Petition to Approve Inventory

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As indicated previously, the Guardian (as the noting party) does not and did not agree to striking the hearing. We will be appearing tomorrow.

Confirmed, future correspondence shall occur through letter only. I request the same of you.

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Jayakrishnan Nair <jknair@gmail.com>

Wed, Aug 21, 2019 at 6:35 PM

To: Ermin Ciric <Ermin.Ciric@rm-law.com>

Cc: "Anderson, Danielle" <danielle.anderson@kingcounty.gov>, SC Ex Parte Department <SCExParte@kingcounty.gov>, Ashley Catlett <Ashley.Catlett@rm-law.com>, Saphronia Young <Saphronia.Young@rm-law.com>, Rebecca Jenkins <Rebecca.Jenkins@rm-law.com>

Mr. Ciric:

Your efforts to renote a canceled hearing that has been stricken by the Clerk, after she was informed of the removal to Federal Court, is unfortunately in violation of lawyers ethics in the practice manual. Therefore I will be reporting this illegal attempt to note an illegal hearing despite knowing the state court cannot hear the matter due to lack of jurisdiction and federal removal to the Bar association.

You have disgraced yourself and confused a Honorable clerk. This matter needs to be reviewed by the bar to check if you were either (a) acting in bad faith to deceive a public employee (Ms. Anderson on cc), or (b) not intellectually capable of understanding what federal removal means according to 1441(b), either of which is alarming for a "professional" lawyer.

On Wed, Aug 21, 2019 at 6:26 PM Jayakrishnan Nair <jknair@gmail.com> wrote:

Hello Ms. Anderson:

I would really appreciate you reconfirming to the opposing party that once the striking has been confirmed in writing as attached, the clerk is NOT at liberty to re-note it on the same day as it is a blatant violation of LCR 7(H). This is in addition to the fact that a hearing would have been illegal any way as the matter is pending before federal court.

Thank you.

On Wed, Aug 21, 2019 at 6:17 PM Jayakrishnan Nair <jknair@gmail.com> wrote:

The guardian's approval is immaterial once the clerk has communicated the motion has been stricken. We attach more value to the Clerk's email than yours unfortunately. She is the party we need to listen to, and she has confirmed as attached. Any hearing in violation is void as the Clerk has confirmed the hearing stricken.


Therefore we understand from the Clerk's email that the motion has been stricken. Thank you.

On Wed, Aug 21, 2019 at 6:13 PM Ermin Ciric <Ermin.Ciric@rm-law.com> wrote:

As indicated previously, the Guardian (as the noting party) does not and did not agree to striking the hearing. We will be appearing tomorrow.

Confirmed, future correspondence shall occur through letter only. I request the same of you.

Best Regards,
Ermin Ciric
Associate Attorney

 1474493465200_PastedImage

612 S. 227th St.

Des Moines, WA 98198

Phone: 206-212-0220

Fax: 206-408-2022

E-mail: ermin@rm-law.comWebsite: desmoineselderlaw.com

THE INFORMATION CONTAINED IN THIS EMAIL MAY BE PRIVILEGED, CONFIDENTIAL AND INTENDED ONLY FOR THE USE OF THE INDIVIDUAL IDENTIFIED ABOVE. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY, DO NOT COPY OR SEND THE MESSAGE TO ANYONE ELSE AND DELETE THE ORIGINAL TRANSMITTAL. THANK YOU.

From: Jayakrishnan Nair <jknair@gmail.com>

Sent: Wednesday, August 21, 2019 6:08:49 PM

To: Ermin Ciric <Ermin.Ciric@rm-law.com>; Anderson, Danielle <danielle.anderson@kingcounty.gov>; SC Ex Parte Department <SCExParte@kingcounty.gov>

Cc: Ashley Catlett <Ashley.Catlett@rm-law.com>; Saphronia Young <Saphronia.Young@rm-law.com>; Rebecca Jenkins <Rebecca.Jenkins@rm-law.com>

Subject: Re: Guardianship of Thankamma - Hearing on Petition to Approve Inventory

Mr. Ciric:

First, This is confirming that per the Clerk's written confirmation today evening at 4:18pm, a copy of which is attached herewith, the hearing originally scheduled for tomorrow has been cancelled. The Clerk is aware that any hearing tomorrow held after a strike has been confirmed does not provide enough notice per Local Civil rules and is also illegal.

Second, I am advising you that I do not wish to receive any further emails from you of your firm and that all further correspondence only be by postal mails.

Thanks
Jay

On Wed, Aug 21, 2019 at 6:02 PM Ermin Ciric <Ermin.Ciric@rm-law.com> wrote:

Mr. Nair,

I have taken the clerk/court off of the email chain, as I indicated previously it is improper to include the court in argumentative emails back and forth.

I have been privy to your past pattern of sending voluminous emails in what appears to be an attempt to get your point across. However, email communication is not a requirement in civil proceedings but a privilege. I suggest moving forward you tone down the emails, otherwise I will request that we communicate by letter only. Typically, I support email communication as it tends to reduce costs. Duplicitous, voluminous, irrelevant, and excessive email communications do not have that same impact. I will not be participating in a back and forth email campaign with you. As indicated, if that becomes an issue then we will move forward with letter communications only.

I do not represent you, whether you decide to appear for tomorrow's hearing or not is up to you. I have merely conveyed that my client has not agreed to striking the hearing and will be appearing tomorrow.

Best Regards,
Ermin Ciric
Associate Attorney

 1474493465200_PastedImage

612 S. 227th St.

Des Moines, WA 98198

Phone: 206-212-0220

Fax: 206-408-2022

E-mail: ermin@rm-law.com
Website: desmoineselderlaw.com

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From: Jayakrishnan Nair <jknair@gmail.com>
Sent: Wednesday, August 21, 2019 5:57:23 PM
To: Ermin Ciric <Ermin.Ciric@rm-law.com>
Cc: Ashley Catlett <Ashley.Catlett@rm-law.com>; Saphronia Young <Saphronia.Young@rm-law.com>; Rebecca Jenkins <Rebecca.Jenkins@rm-law.com>; SCEXParte@kingcounty.gov <SCEXParte@kingcounty.gov>; danielle.anderson@kingcounty.gov <danielle.anderson@kingcounty.gov>
Subject: Re: Guardianship of Thankamma - Hearing on Petition to Approve Inventory

Can you please advise what part of 28 USC 1441 (b) or 1332 (a) require the court to rule on a removal action? By the way of filing for the removal before the one year anniversary of the guardianship petition, the matter has been moved to Federal Court. assigned a Judge, and then that Judge was reassigned to Hon. Marsha Pechman for the reason she is also assigned to the complaint with over 50 causes of action we had filed earlier against your client et al.

If you need to note a motion on state court, you will first need to file a motion with Federal Court to convince Hon. Judge Pechman to remand it to state court. Until then this matter cannot be heard in State court without violating Federal law, for which we will report you to the bar association if you are still impudent enough to be in contempt of court.

I believe we are all now on the same page the at the motion has been stricken. I will see you in Federal Court on the motion to terminate Guardianship.

On Wed, Aug 21, 2019 at 5:34 PM Jayakrishnan Nair <jknair@gmail.com> wrote:

FEDERAL REMOVAL IS AUTOMATIC ONCE FILED, AND IT HAS ALREADY BEEN REMOVED AS OF 8/19. THERE IS NOTHING TO BE RULED ON ABOUT THE REMOVAL AS WE HAVE EXERCISED OUR RIGHT TO REMOVE IT ALREADY. YOU SHOULD APOLOGIZE TO THE CLERK OF KCSC FOR MISLEADING HER.

Mr. Ciric:

There is a couple of issues here.

1) The state court does not have jurisdiction on this matter as this is a matter that by Article III Sections I & II of the constitution, only congress and federal courts have the jurisdiction to hear about as Omana is an Indian Citizen whose travel rights are protected by United States in its bilateral treaties that Ex Parte State Court have no authority to rule upon.

2) Subsequently, the matter has ALREADY been removed to Federal Court and is currently under the supplemental jurisdiction of Judge Pechman who is ALSO handling the federal complaint against your client. It seems you are not aware that there is nothing to be ruled on, the removal is automatic per 28.U.S.C. 1441 (b) and 28. U.S.C. 1331. It is disgraceful that as a professional attorney you would assume there is going to be possibility of a hearing on a state probate court on a matter already under Federal Jurisdiction, which will be contempt of court. Please see attached notice of removal - the matter WAS removed as of 8/19. All further motions will need to be renoted to the Federal Court.

c) Furthermore, the Superior Court Clerk, has already confirmed the striking of the hearing and that was communicated by writing as of 4:18PM by LCR 7(H) of Local rules. If there is a subsequent change of heart for any reason, it is too late to re-note for tomorrow, and will need to be renoted on the calendar per LCR procedure. Any hearing held tomorrow is null and void by definition as the Clerk has confirmed in writing as of 4:18 the hearing has been struck, and there is no such thing as "un-ringing" the bell.

I will not be seeing you tomorrow, and there will not be a legal hearing tomorrow morning.

On Wed, Aug 21, 2019 at 5:17 PM Ermin Ciric <Ermin.Ciric@rm-law.com> wrote:

Mr. Nair,

As you may know, my office represents the Guardian Channa Copeland. This is in response to your request that the hearing set for tomorrow be stricken. I will keep this email short as it is improper to argue with the clerk over email, you can present your argument tomorrow in court.

First, I have reviewed the pleadings that you forwarded to the ex parte clerk. Nowhere does it reflect that the hearing tomorrow be stricken, that the guardianship be stayed, or that the guardianship (Cause No. 18-4-05231-6 SEA) is being removed. To the contrary, from the pleadings provided by you it appears that Cause No. C19-1307 RSM was being reassigned from one judge to another (with the new judge bearing cause no. 19-CV-01307 MJP). In an abundance of caution, my office reached out to District Judge Pechman's clerk and she confirmed that the matter was just being reassigned and that the removal issue impacting the guardianship matter had still not been ruled upon. I will take your misrepresentations and untimely/unilateral demands to strike a properly noted hearing up with the court tomorrow. I reserve fees/costs as to these issues.

Second, moving forward, I request that any communications you may have directed towards Ms. Copeland go through my office as she is a represented party. Nothing herein should be interpreted or construed as acceptance of original process service or a waiver of any affirmative defenses and counterclaims.

I look forward to seeing you at the hearing tomorrow morning.

Best Regards,
Ermin Ciric
Associate Attorney

 1474493465200_PastedImage

612 S. 227th St.

Des Moines, WA 98198

Phone: 206-212-0220

Fax: 206-408-2022

E-mail: ermin@rm-law.com

Website: desmoineselderlaw.com

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Jayakrishnan Nair <jknair@gmail.com>

Guardianship of Thankamma - Hearing on Petition to Approve Inventory

Jayakrishnan Nair <jknair@gmail.com>

Wed, Aug 21, 2019 at 6:26 PM

To: Ermin Ciric <Ermin.Ciric@rm-law.com>

Cc: "Anderson, Danielle" <danielle.anderson@kingcounty.gov>, SC Ex Parte Department <SCExParte@kingcounty.gov>, Ashley Catlett <Ashley.Catlett@rm-law.com>, Saphronia Young <Saphronia.Young@rm-law.com>, Rebecca Jenkins <Rebecca.Jenkins@rm-law.com>

Hello Ms. Anderson:

I would really appreciate you reconfirming to the opposing party that once the striking has been confirmed in writing as attached, the clerk is NOT at liberty to re-note it on the same day as it is a blatant violation of LCR 7(H). This is in addition to the fact that a hearing would have been illegal any way as the matter is pending before federal court.

Thank you.

[Quoted text hidden]

 **confirmationofhearingstrike.pdf**
100K



Jayakrishnan Nair <jknair@gmail.com>

Guardianship of Thankamma - Hearing on Petition to Approve Inventory

Jayakrishnan Nair <jknair@gmail.com>

Wed, Aug 21, 2019 at 6:45 PM

To: Ermin Ciric <Ermin.Ciric@rm-law.com>

Cc: "Anderson, Danielle" <danielle.anderson@kingcounty.gov>, SC Ex Parte Department <SCExParte@kingcounty.gov>, Ashley Catlett <Ashley.Catlett@rm-law.com>, Saphronia Young <Saphronia.Young@rm-law.com>, Rebecca Jenkins <Rebecca.Jenkins@rm-law.com>

<https://www.law.cornell.edu/uscode/text/28/1446>

(d) Notice to Adverse Parties and Court.—

Promptly after the filing of such notice of removal of a civil action the defendant or defendants shall give written notice thereof to all adverse parties and shall file a copy of the notice with the clerk of such State court, which shall effect the

removal and the **State court shall proceed no further unless and until the case is remanded.****Mr. Ciric: You are going to have to justify to the bar association why you illegally tried to save your canceled hearing when the state court CANNOT proceed on the matter. I am afraid you have some explanation to do.**

[Quoted text hidden]

EX 207



Jayakrishnan Nair <jknair@gmail.com>

Guardianship of Thankamma - Notice Striking Hearing

Jayakrishnan Nair <jknair@gmail.com>

Thu, Aug 22, 2019 at 9:32 AM

To: Ermin Ciric <Ermin.Ciric@rm-law.com>, "Anderson, Danielle" <danielle.anderson@kingcounty.gov>, SC Ex Parte Department <SCExParte@kingcounty.gov>

Cc: Saphronia Young <Saphronia.Young@rm-law.com>, Rebecca Jenkins <Rebecca.Jenkins@rm-law.com>, Robert McDonald <Robert.McDonald@rm-law.com>

Mr. Ciric:

I am afraid it is too late to retract responsibility for your illegal and unethical action to re-note a canceled motion in State Court calendar, after already having been placed in Federal Court. As a licensed attorney, you should have (and must have) known that the filing of a removal petition terminates the state court's jurisdiction until the case is remanded, even in a case improperly removed (as you incorrectly claim). See *Maseda v. Honda Motor Co., Ltd.*, 861 F.2d 1248, 1255 (11th Cir. 1988), citing *Lowe v. Jacobs*, 243 F.2d 432, 433 (5th Cir. 1957).

Any action taken by the state court after the filing of the removal notice with the state clerk is void ab initio. See *Nat'l S.S. Co. v. Tugman*, 106 U.S. 118, 122 (1882); *E. D. Sys. Corp. v. Sw. Bell Tel. Co.*, 674 F.2d 453, 457 (5th Cir. 1982). The question of whether a removed case should be retained or remanded is for the federal court to decide. *Id.* at 457-58. Where a state court continues to exercise jurisdiction over a case after its removal, the federal court has authority to enjoin the state court proceedings. See *E. D. Sys. Corp.* 674 F.2d at 457.

Since you had feigned ignorance over such matters and abused your power as an officer of the Court to mislead and deceive the Honorable Clerk's natural trust of your "professional" opinion (over "only" a pro se) this matter is now under the review of Bar Association for King, WA State and ABA, all of which need to know how a member of the Bar acted in such an unscrupulous and unprofessional manner. Furthermore, we will be filing a complaint against your firm and you personally for your multiple wrongful attempts to mislead the clerk for abuse of process and constructive fraud.

Your client has not allowed any contact for my mother with her Family and kept her in isolation for the last 43 days, and we don't know if she is alive, what her condition is, or where she is. At this point what she needs is a criminal attorney as her abuse of guardianship to psychologically torture my mother to death through solitary confinement (after we exposed the murder attempt by deliberately withholding insulin), is now under FBI investigation.

If your client does not want to face more serious criminal charges and wrongful death to be added to the 50+ claims we fully intend to pursue, it will behoove her to to arrange a meeting with my mother today.

On Thu, Aug 22, 2019 at 8:50 AM Ermin Ciric <Ermin.Ciric@rm-law.com> wrote:

Good morning Mr. Nair,

Please find attached correspondence from my office striking the hearing set for today. I will be filing the Notice with the court and informing the clerk momentarily.

If you are serious about getting Omana moved to India, I welcome further discussion. Considering the amount of emails exchanged yesterday including your threats and improper communications with the clerk, this discussion should be in letter form. I will be advising my office to disregard any emails from you moving forward and this is to serve as notice that any email sent by you will **not be** considered and should not be interpreted or construed as providing adequate notice or service of any document, communication, or pleading upon Ms. Copeland. We will only accept letters from you moving forward. My office will reciprocate and only correspond in letter form with you.

Best Regards,
Ermin Ciric
Associate Attorney

EX 208

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

Jayakrishnan Nair, et al.)	
)	CASE # C19-1296-MJP
Plaintiffs,)	
)	Associated Case # C19-1307-MJP
v.)	AFFIDAVIT OF SERVICE
)	
Channa Copeland, et al.,)	
)	
Defendants.)	

The undersigned declares under the penalty of perjury under the laws of the United States of America, that the following is true and correct:

I am over the age of 18 and a legal permanent resident of the United States.

As of the date shown below, Service of Process was made by: King County Sheriff's Office

Of the Following Documents related to this matter:

1. Summons to Federal Court
2. Complaint filed with Federal Court

To the Following Defendant(s):

1. Dr. Andrew Hahn

At the Following Address: 13732 Corliss Avenue N. Seattle WA 98133

On the following Date: August 26, 2019

Proof of Service from the Process Server is attached as Exhibit A.

DATED this 6th day of September, 2019.



Jayakrishnan Nair
jknair@gmail.com



RETURN OF SERVICE

00576307/ rl

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

CAUSE #: 19CV-01296-MJP
COURT: UNITED STATES DISTRICT COURT, WESTERN DISTRICT

JAYAKRISHNAN K. NAIR; JAYAKUMAR A. NAIR; RAJAKUMARI SUSHEELKUMAR; SUKANYA SUSHEEL

vs.

CHANNA COPELAND, as Guardian of the Person of Omana Thankamma, Incapacitated; DEPARTMENT OF SOCIAL & HEALTH SERVICES, a State of Washington Agency; HARBORVIEW MEDICAL CENTER, per se and as the parent organization of PARAMOUNT NURSING HOME; ET AL.

PROCESS: Ex Parte Application for Temporary Restraining Order & Complaint for Specific Performance, Declaratory and Injunctive Relief, and Damages; Ex Parte Application for Temporary Restraining Order & Complaint for Specific Performance, Declaratory and Injunctive Relief, and Damages (143 pgs); Exhibit List; Affidavit of Rajakumari Susheelkumar; Exhibit A- Letter from Rajakumari Susheelkumar to Indian Consul General Sri. Sanjay Panda; Demand Letter from Jayakrishnan K. Nair to Chana Copeland, nee-Carsey

DATE RECEIVED: 8/19/2019
DATE SERVED: 8/26/2019 @ 10:41 AM
NAMED PARTY: **DR. ANDREW HAHN**

I, JON HOLLAND, AM A KING COUNTY DEPUTY, AUTHORIZED TO SERVE PROCESS.

I RECEIVED THE ABOVE NAMED PROCESS AND PERSONALLY SERVED SAID PROCESS ON THE NAMED PARTY, DR. ANDREW HAHN, ON THE DATE ABOVE SPECIFIED, A TRUE COPY

AT 13732 CORLISS AVENUE N. SEATTLE, WA 98133, KING COUNTY, STATE OF WASHINGTON.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

SHERIFF MITZI JOHANKNECHT
KING COUNTY SHERIFF'S OFFICE

SIGNED THIS 27 DAY OF AUGUST, 2019 IN SEATTLE, WASHINGTON.

BY 
GUS HALL
KING COUNTY DEPUTY SHERIFF

SHERIFF'S FEES

Mileage (\$1.00)
Return of Service (\$26.00)
Service Fee (\$33.00)
Total: \$60.00

EX 209



Jayakrishnan Nair <jknair@gmail.com>

packet of information

Jayakrishnan Nair <jknair@gmail.com>
To: ahahn47@uw.edu

Fri, Jul 5, 2019 at 3:43 PM

FYI as exhibit to the other email.

Can you kindly confirm with the nursing staff, and with me in response here, that this incident will be criminally investigated so the person who put the foreign stuff in the food to frame us is taken into custody, and to ensure our visitation rights are not affected from this drama?

Please get to the bottom of this matter - clearly whoever made the "discovery" of the foreign object was in the plot and must be interrogated for criminal mischief and false reporting.

----- Forwarded message -----

From: Jayakrishnan Nair <jknair@gmail.com>
Date: Fri, Jun 14, 2019 at 11:37 AM
Subject: Re: packet of information
To: Patricia Hunter <stateombuds@multi-servicecenter.com>, Pamela Williams <pamela.williams@mschelps.org>, Sukanya Susheel <susheel.sukanya@gmail.com>, Rajakumari Susheelkumar <rajithankam9@gmail.com>
Cc: Christopher Henderson <ChrisH@brothershenderson.com>

My sister went to Paramount yesterday to see the horrible sight of my mother's paralyzed hand looking scalded and having huge sack of pulp (attached photos). She was also running a fever. She called the charge nurse immediately and asked to transfer her to Emergency. My mother was in a droopy, delirious state and did not even recognize my sister, and the only two words coming out of her mouth were vedhana "pain" and my name. My sister was told my mothers hand was ok and that her temperature was only 97, while my sister could feel the burning heat in her hand from her forehead (she did not take a thermometer with her).

After about a couple of hours where my mother was in delirium and not able to open her eyes or respond to my sister, she started vomiting. At that point the paramedics were called, and they CONFIRMED she was running a HIGH temperature and immediately shifted her to Harborview emergency, and my sister traveled with my mom in the ambulance to the hospital.

My sister and I met with her attending physician Bret and he said she was suspected of having Pneumonia and that they were referring her to the burn specialists to evaluate her left hand (pictures) and to find the source if it is an infection or reaction or burn, and once confirmed as a burn to engage law enforcement to put the devil who did this to my mom behind bars for rest of life.

Please act immediately, this is going far too far. She cannot be returned to Paramount under any circumstance. We are helplessly witnessing our mother's murder.

Respectfully
Jay and Raji

On Wed, Jun 12, 2019 at 11:44 AM Jayakrishnan Nair <jknair@gmail.com> wrote:

>
> Dear Ms. Hunter and Ms. Williams:
>
> I am attaching a soft version of the packet that was sent to your office, for easier distribution, and also including the pictures, (that DO say a thousand words) so she can get the help she needs and justice for her tears (that were as you can see from attached completely unnecessary and avoidable had she just been left alone at home).
>
> My sister is landing in Seattle at 1:30 pm and I am on my way to the airport to collect her and to take her to Paramount Nursing and Shelter Home. As you can see from attached VAPO, the only restriction against me is "from removing her from any facility". My sister does not have that restriction and the guardian has permitted to take her back home with her. We want to check on our mom first (we had no status updates in days) and to communicate with the guardian a plan to move her home through an ambulance.
>
> The guardian has agreed to use the \$12,000 taken from MY primary account to purchase private insurance and arrange qualified care for Omana at home until her Medicaid is approved. As you can see from the petition to ACLU and the facts, the only reason for the VAPO was a baseless allegation of not having qualifying care at home (she is not a citizen so I had to arrange everything privately out of MY pocket including insurance and in-home caregivers to assist me as the primary caregiver). Since becoming disabled in 2012, she has not only survived but thrived and lived happily at home under my devoted care as she is always first to say.
>
> My sister and I are looking forward to your kind help in facilitating her transfer back home and arranging the care (although the Guardian has agreed and that is why my sister is rushing to USA to save her from Paramount, as you can understand we do not trust her from her past actions in trying to cover up her neglect and simply finding ways to letting her die SUFFERING without care at Paramount)
>
> My sister and I are available at your convenience in person or by phone any time this friday or any other day from today. As her children there is nothing else that is a higher priority to us. I am including her in cc. She is a Malayalam journalist and can understand English but will prefer an interpreter to make sure she is communicating accurately if you prefer to talk to her in person directly. Her daughter Sukanya (on cc) is fluent in English and is planning to come to US next month to help us take care of her grandmom so she can have her whole close family together, and Omana needs to be rescued before it is too late.
>
> Thank you and God bless.
>
> Regards and humble respects
>
> Jay and Raji
>
> PS. Our family is engaging Mr. Chris Henderson (on cc) and sending him a retainer check today.

>
> On Wed, Jun 12, 2019 at 10:17 AM Patricia Hunter <stateombuds@multi-servicecenter.com> wrote:
>>

>> Thank you Mr. Nair for responding promptly.
>>
>> I'd like to introduce you to Pamela Williams. She is the Regional LTC Ombuds for all of King County and supervises visiting staff and volunteer ombudsmen to Paramount. I would like to set up a time for a phone conversation. What is your availability this Friday?
>>
>> Thank you for giving me your permission to forward your letter and concerns to the proper authorities. I have forwarded the letter to the Washington State Department of Health and Human Services(DSHS), Residential Care Services Unit. They are responsible for the licensing of all long-term care facilities in our state and have the authority to issue citations and sanctions against a facility when it is not in compliance with state and federal laws. They have the authority to require the facility correct any issues of non-compliance. I have also forwarded your letter to DSHS Adult Protective Services (APS). APS investigates complaints related to abuse, neglect or exploitation under State law, RCW 74.34. They investigate the actions and inactions of individual professional staff, as well as guardians and any third party person (family, friends, vendors... etc.). If there are concerns about an individual's practice (licensed professionals, CNAs, guardians, etc) DSHS will forward a report to the Department of Health and other licensing entities for further investigation and possible actions upon the person's license to practice. APS will also forward referrals to prosecutors if

they believe a crime has been committed against a vulnerable adult.

>>
>> I want to note that I did NOT forward the entire packet of information that was sent to me to the authorities because it is private information. Because there are photos of your mother in the packet, I am concerned about violating her privacy by forwarding the images via email. I only forwarded the letter portion of the packet to the authorities.

>>
>> If you have a concern regarding the actions or inactions of your mother's guardian, you may want to consider filing a complaint with the courts for investigation of the guardianship and the guardian's practice. Would you like information about how to do that? APS will also look into any allegations against the guardian and if founded will automatically file a complaint with the courts who have oversight of all guardianships in Washington State.

>>
>> You may want to obtain legal counsel for guidance on these matters.

>>
>> Lastly, to clarify, do you currently have a restriction or a court order about visitations with your mother? Are there any restrictions regarding your contact with Paramount in regards to your mother's care and well-being? If so, we will need a copy of the restraint. We are currently contacting the guardian to obtain copies of the guardianship order. (We will not disclose you as a the complainant to the guardian.)

>>
>>
>> Sincerely,
>> Patricia Hunter, MSW
>> State LTC Ombuds
>> www.waombudsman.org
>> (253) 838-6810

>>
>> On Jun 11, 2019, at 5:01 PM, Jay K. Nair <jkn@ratnerbio.com> wrote:

>>
>> Dear Ms. Hunter,

>>
>> Thanks so much for the email. Yes, I am in Redmond, WA at this time and available in person or by phone at 201 205 7500.

>>
>> The complainant is my sister Ms. Rajakumari. She is currently en route to Seattle from India as I type and should be landing here tomorrow afternoon.

>>
>> The guardian has agreed to let my sister bring our mother home. As you can imagine I can't wait to see her, it has been several days she has been kept in isolation after I was trespassed for taking pictures of her extremely severe neglect and possible abuse from suspicious injuries.

>>
>> You have not only my permission but also my humble prayer to forward to as many authorities so my mom's long term care can be restored. She has been denied critical follow up to cataract surgery on right eye with Dr. Chen, pain injection with Dr. Hodapp, and all other ltc appointments as the guardian let her insurance lapse and she only can get emergency visits. All her therapies (st,pt,ot) have been discontinued.

>>
>> Thanks again for your quick response, looking forward to your benevolent urgent help for my poor mom in agony without seeing me (she is constantly calling for me from her bed) and in extreme eye and leg pain.

>>
>> Regards,
>>
>> Jay K. Nair
>> President & COO
>> Ratner BioMedical Inc.

>>
>> www.ratnerbio.com
>> (201) 205-7500 (c)
>> (347) 746-2470 (o)
>> (206) 486-4RBI (f)

>>
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>>
>>
>> On Tue, Jun 11, 2019 at 4:26 PM Patricia Hunter <stateombuds@multi-servicecenter.com> wrote:

>>>

>>> Mr. Nair,

>>>

>>> I am in receipt of a packet of information regarding your family member at Paramount Nursing Rehabilitation Center in Seattle, WA. I was out of the office when it arrived last week. The packet comes from Mr. Susheekumar but the cover letter contains your business card and address and no other contact information that I can easily locate. I have not yet read all of the materials, but I am very concerned about what is stated in the letter about the safety and well being of your family member.

>>>

>>> May I please have your permission to forward this information to the State Department of Health and Social Services licensing department, Washington State Adult Protective Services, the Department of Health and the Medicaid Fraud Unit under the State Attorney General's Office? The LTC Ombudsman Program is not a regulatory program and has no authority to sanction facilities or investigate abuse allegations. The most equipped entity to do this type of work is within state government. Please give me permission to send this information to the proper authorities. I will be sending a LTC Ombuds to the facility to visit your family member, and check on her living conditions and care.

>>>

>>> We also will be obtaining information about the guardian Channa Copeland and reaching out to her in the near future. We will not disclose receipt of this packet of information. Your name as the complainant remains confidential unless we receive your permission to disclose it to third parties.

>>>

>>> Lastly, are you located in Washington State at this time? If we wanted to contact you, what is the best time of day for a phone call?

>>>

>>> Thank you and I look forward to hearing from you soon.

>>>

>>> Sincerely, Patricia

>>>

>>>

>>> Patricia Hunter, MSW

>>> Washington State Long-Term Care Ombuds

>>>

>>> P 253.263-6573

>>> www.waombudsman.org

>>>

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>> Patricia Hunter, MSW

>> Washington State Long-Term Care Ombuds

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>> P 253.263-6573

>> www.waombudsman.org

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4 attachments

MVIMG_20190613_232509.jpg
1772K



IMG_20190613_231711.jpg
2023K



IMG_20190613_231801.jpg
2298K



IMG_20190613_232459.jpg
2416K



Jayakrishnan Nair <jknair@gmail.com>

Complaint to Investigate

Jayakrishnan Nair <jknair@gmail.com>

Fri, Jul 5, 2019 at 3:38 PM

To: ahahn47@uw.edu

Dear Dr. Hahn

Thank you so much for the conversation just now, after which I left my sister with my mother and came back home so I can return later in the night to collect her.

However, my sister has been kicked out of the room since I left and the nursing supervisor said we would not be allowed to visit, on the "suspicion" of the "foreign object" on the food.

This is clear as daylight a malicious and criminal attempt to frame my sister and I for absolutely no reason and to curtail our rights. This must be investigated and whoever responsible for the foreign object clearly put it there to frame us, and we want answers.

Could you please investigate this incident for racial discrimination and criminal mischief? What was the object? Who found it? When? Why was it not preserved for lab test? If it was, then what were the results?

Clearly, this nurse is delusional to believe that she could criminally make up frivolous and baseless accusations against innocent people and use it to curtail our civil rights.

For your information I am sending you the packet of information I had sent earlier to the ombudsman. Please note it is critically important to get to the bottom of this to find out who was doing this to frame us and to make sure he/she is held accountable.

Also kindly let the nursing staff know to make sure there are no restrictions to our visits. As you are aware the court order (the VAPO) only restrains me from taking her home, and there are none against my sister, and therefore it is not just unacceptable but also a crime to fabricate such baseless accusations- we request you to interrogate the person who made the report of the suspicious substance in her food and hold them accountable criminally for what they did.

Regards
Jay

6 attachments

 **AmbassadorPandasigned.pdf**
554K

 **ACLU+s.pdf**
650K

 **Ex_HomePhotos.pdf**
1110K

 **Ex_AbusePics.pdf**
1954K

 **Ex_AmmaPhotos.pdf**



Jayakrishnan Nair <jknair@gmail.com>

Complaint to Investigate

Jayakrishnan Nair <jknair@gmail.com>
To: ahahn47@uw.edu

Fri, Jul 5, 2019 at 4:16 PM

My sister and I visited yesterday and when we left the room, we had met with and talked with Leah, the charge nurse, at around 7 pm. Today we met her again and she mentioned nothing about any object, all she asked was "how was the fireworks yesterday" most cordially. So we (my sister Rajakumari is on cc) and I feel humiliated from the chief nurse's behavior today. This is a conceited, coordinated, criminal effort and it is a crime per RCW 74.34.053(2). Furthermore, we are EXTREMELY concerned about this foreign object and want to identify its source.

Kindly investigate and get to the bottom of this matter. We are very concerned for her safety given that someone who has access to her food either put something in it and/or was malicious enough to make a criminally false report against her children, and either way we are deeply affected and the joy and reassurance we shared with you just a few minutes ago of her being at Harborview is suspended until we have satisfactory answers for this serious matter.

We are humbly praying to you as we trust you. Kindly ask the person who reported the foreign substance about it and find out what was REALLY going on. Please. We are begging you for justice.

[Quoted text hidden]



Jayakrishnan Nair <jknair@gmail.com>

Complaint to Investigate

Jayakrishnan Nair <jknair@gmail.com>

Fri, Jul 5, 2019 at 5:17 PM

To: ahahn47@uw.edu, Rajakumari Susheelkumar <rajithankam9@gmail.com>, Sukanya Susheel <susheel.sukanya@gmail.com>

As a matter of fact we are baffled at these:

a) when we left in the evening, Ms. Leah was going into Omana's room for her final check before her shift ended. She met us out the door, before she went in. Therefore if this foreign substance was in the food yesterday, she should have noticed it, and if so why would she let us into the room today? We were there for an hour before our conversation and me leaving my sister. This whole accusation seems to be a back-of-hand afterthought by the nursing supervisor (I believe her name is Masumi?) as it is illogical that we would be allowed to remain in the room for 1 hour today if there was such a serious accusation against us from yesterday.

b) If there was indeed such a discovery, the first thing to do would be to preserve the substance and send to lab test. Who knows if it was not poisonous? It would be criminally irresponsible by RCW 74.34.053 (1), to FAIL to make a timely report and to send the sample to a lab. This would be the sensible protocol in any hospital. Why was this not followed, as delicate as this situation is where we have already made complaints about her attempted murder at Paramount owned by Harborview, and people that work par-time for Paramount, like one Mr. Musafa (not sure if I got the spelling correct) and loyal to the suspects in our complaints Roger and Tedlaw are having free access to our mother?

Sorry for the repeated emails but we feel you are able to understand our frustration and our plight to save our mother. She needs our emotional support to live. You saw that with your own eyes. Thanks and God Bless.

[Quoted text hidden]



Jayakrishnan Nair <jknair@gmail.com>

Omana Thankamma

Jayakrishnan Nair <jknair@gmail.com>
To: HMC PATIENT RELATIONS <comment@uw.edu>
Cc: ahahn47@uw.edu

Mon, Aug 26, 2019 at 9:47 AM

Dear Ms. Flaherty / HMC Patient Relations:








As you are aware, we are Ms. Thankamma's son and daughter. She has been kept in ILLEGAL isolation for about 50 days with a view to murder her, on which we have filed complaints with FBI and also a federal lawsuit (attached). I trust you have received the service from King County Sheriff.

We are requesting information about our mother and desperately want to meet her before she dies from the stress from this involuntary solitary confinement. Of course, any physician, like Dr. Hahn (on cc) who foolishly participate in her murder will certainly suffer the consequence, as should be obvious from the proceedings. If she indeed has passed away from this ordeal without seeing us as she craved for, it is unlikely that Dr. Hahn will ever be licensed to practice medicine again. That is our pledge to him.

We are asking you to kindly arrange a meeting with our mother today.

Regards
Jay and Raji

7 attachments

-  **Ex_P3.pdf**
206K
-  **Ex_P4.pdf**
1110K
-  **Ex_P1.pdf**
1954K
-  **Ex_P2.pdf**
2929K
-  **19718705925s.pdf**
1646K
-  **Appendix C.pdf**
152K
-  **Appendix A.pdf**
634K



Jayakrishnan Nair <jknair@gmail.com>

Legal Demand Letter

Jayakrishnan Nair <jknair@gmail.com>
To: ahahn47@uw.edu

Wed, Jul 31, 2019 at 5:47 PM

FYI. Kindly let us see our mother.

----- Forwarded message -----

From: **Jayakrishnan Nair** <jknair@gmail.com>
Date: Wed, Jul 31, 2019 at 3:31 PM
Subject: Re: Legal Demand Letter
To: <comment@uw.edu>

On Wed, Jul 31, 2019 at 3:08 PM Jayakrishnan Nair <jknair@gmail.com> wrote:

Kindly forward to your legal department and CEO Dr. Ramsay along with attached pictures of her hand when brought to the emergency room from scalding and/or neglect.

Thank you
Jay and Raji



Demand Letter Harborview.pdf
154K



Jayakrishnan Nair <jknair@gmail.com>

OT

Rajakumari Susheelkumar <rajithankam9@gmail.com>

Sat, Jul 6, 2019 at 11:55 AM

To: Jayakrishnan Nair <jknair@gmail.com>

Cc: sukanya susheel <susheel.sukanya@gmail.com>, ahahn47@uw.edu, "Rago, Pam (DSHS/AL TSA/APS)" <RAGOPAM@dshs.wa.gov>, Patricia Hunter <stateombuds@multi-servicecenter.com>, Pamela Williams <pamela.williams@mschelps.org>

Hello Everyone,

After the bitter experience yesterday, I feel very intimidated and unsafe visiting our mother. If this suspicious substance in her food was poisonous and she died, i could have been framed with murder, the way this serious incident was unprofessionally handled. Therefore, as painful as it is, we have no choice but to wait until we hear from Dr. Hahn about the outcome of this investigation. We request criminal charges to be filed against the person who put this foreign object, and if it was indeed a hoax, the person who made the false report against me to be disciplined and removed from the care team before I feel safe to visit Harborview again, for my own personal safety reasons.

Kindly let us know the result of the investigation at the earliest so we can visit our mother again. It is traumatic to us that someone can transgress into our personal liberties without any shade of accountability for their actions, and that is not going to be acceptable. Hope you can see my perspective.

Regards

Raji

[Quoted text hidden]



Jayakrishnan Nair <jknair@gmail.com>

OT

Jayakrishnan Nair <jknair@gmail.com>

Mon, Jul 8, 2019 at 5:53 PM

To: "Rago, Pam (DSHS/AL TSA/APS)" <RAGOPAM@dshs.wa.gov>, ahahn47@uw.edu, Sukanya Susheel <susheel.sukanya@gmail.com>

Cc: Patricia Hunter <stateombuds@multi-servicecenter.com>, Pamela Williams <pamela.williams@mschelps.org>, Rajakumari Susheelkumar <rajithankam9@gmail.com>

Hello Ms. Rago:

Thank you for taking my sister's testimony today morning. Kindly let me know if you would like to take my testimony, in person or over phone.

Furthermore, we would once again request you to take my mother's testimony in our presence, as she has proven to be quite alert and conscious in our presence and even able to sing her favorite songs, and do math calculations, as she has amply demonstrated to many staff including Dr. Hahn.

Thank you
Jay

[Quoted text hidden]



Jayakrishnan Nair <jknair@gmail.com>

Channa did not pay for your medical degree

Jayakrishnan Nair <jknair@gmail.com>
To: ahahn47@uw.edu

Tue, Aug 27, 2019 at 11:42 AM

Mr. Hahn:

You will do well to remember that your career is at stake here. You will now for ever be known by all not as a doctor but a shameless murderer that psychopathically did all he could to kill his own patient once we publish the complaints online.

You have until today evening before we go public, to arrange a meeting with our mother.

Channa will not be there to save your reputation or your career and she did not pay for your degree. It will be foolish to sacrifice your career and earn our lifelong hostility, as we ABSOLUTELY will not leave you alone if our mother dies from this stress. You had the gall to tell me that you were going on a vacation while I cannot visit my mother. You made a big mistake, and you better correct it for your own sake before it is too late.

If our mother passes away without seeing us one last time, we promise you will suffer the consequence for this evil.

EX 210

FILED
AUG 29 2019
KCDC WEST DIVISION
SEATTLE COURTHOUSE

STATE OF WASHINGTON KING COUNTY DISTRICT COURT East Division, Bellevue Courthouse	
<u>Andrew W. Hahn</u> PETITIONER,	
vs.	
<u>Jayakrishna Nair</u> RESPONDENT.	

NO. 195-01799

PETITION FOR AN ORDER FOR PROTECTION -

HARASSMENT (PTORAH) and/or

STALKING (PTORSTK)

➤ **This is a Petition for an Order for Protection against Harassment and/or Stalking as checked in the caption.**

I believe:

- I am a victim of stalking.
- _____ (name) is the victim of stalking and he/she is a minor or vulnerable adult.

The respondent has been

- stalking the victim either in person or cyber stalking, **and**
- repeatedly contacting the victim or attempting to contact or monitor the victim for no lawful purpose and his/her actions caused the victim to feel intimidated, frightened or threatened.

- I am a victim of unlawful harassment.
- _____ (name) is a victim of unlawful harassment and he/she is a minor.

The respondent's actions toward the victim have seriously alarmed, annoyed or harassed the victim, or are detrimental to the victim and serve no legitimate or lawful purpose.

The respondent's actions have caused substantial emotional distress to the victim or caused me to fear for the well-being of my child.

How do the victim and respondent know each other? Son of Ex-Patient

I have given a detailed explanation below.

1. Who is the petitioner?

My name is (please print) Andrew Hahn. I am the petitioner.

- I am 18 or older and I am petitioning on my own behalf.
- I am 16 or 17 and I am petitioning on my own behalf.
- I am the parent or guardian of child/ren under age 18 and I am petitioning on their behalf:

Children's Name/s (First, Middle Initial, Last)	Age

- I am not the parent or guardian, but the child/ren live/s with me; and I am petitioning on their behalf; and the respondent is not a parent.

Children's Name/s (First, Middle Initial, Last)	Age

- I am filing this petition on behalf of petitioner, (name) _____, a vulnerable adult as defined in RCW 74.34.020, who is a victim of stalking. I am an interested person as defined in RCW 74.34.020(10). My relationship to this petitioner is _____.

2. Is the respondent 18 years of age or older?

Yes No

(If no, use the Petition for Order for Protection Harassment/Stalking Respondent Under Age 18, instead of this petition.)

3. Where do the parties live?

Petitioner lives in King county.

Did the petitioner leave their residence because of stalking conduct and that is the county of their new residence?

Yes No

Children named above live in _____ county.

Respondent lives in King county.

4. Where did the Conduct take place?

The conduct took place in King county.

• Statement describing the victim/s need for protection from the respondent

- Write clearly. If you need more space below, attach additional page/s. Do not write on the back.

5. Describe what the Respondent did or said that you think is harassment or stalking.

- You must describe what the respondent actually said.
- You must describe what the respondent actually did.

The respondent has committed acts of harassment or stalking as follows:

A. Describe the most recent incident of harassment or stalking.

Date and time (on or around): 8/26/19 and 8/27/19

Location: Email to work at HMC

What did the respondent do or say that you believe to be harassing or stalking behavior?

Respondant is directly threatening me and holding me personally responsible for not allowing him to see his mother. I brought this matter to HMC Administration after he started an attempted homicide investigation and demanded I "investigate". The subsequent decisions were made by my hospital leadership and I did not suggest any of them. I am not and will not care for his mother due to concern my safety (per HMC admin). The emails included accuse me of "[participating] in her murder" and suggest I will "suffer the consequence". I have watched him become increasingly inappropriate and delusional "see the pro se claims referencing "Hitler's Final Solution." I find this ongoing pattern of behavior substantially emotionally distressful and feel unsafe returning to work.

How did the respondent make these statements? in person mail/written notes

e-mail text phone social media (such as facebook and twitter)

other (describe): _____

- B. Describe other incidents of harassment or stalking. For each incident, include the date, time (on or about), location, what was said, how statements were made, and what was done to a victim.

See attached emails and claims.

6. How did the incidents you describe above make you, the minor, or the vulnerable adult feel?

Fearful, distressed. I have had significant difficulty with sleep and feel unsafe walking around HMC (my workplace).

7. Has the respondent used, displayed, or threatened to use a firearm or other dangerous weapon in a felony? Please describe:

No

8. Has the respondent previously committed an offense that makes him or her ineligible to possess a firearm under the provisions of RCW 9.41.040? Please describe:

Unknown. There is an order of protection for his mother's court appointed guardian.

9. Does possession of a firearm or other dangerous weapon by the respondent present a serious and imminent threat to public health or safety, or to the health or safety of a victim? Please describe:

Unknown.

10. Do you have any evidence of the harassment or stalking conduct other than testimony?

No

Yes. I have attached the following evidence:

Copy of mail or written notes

Copy of text messages

Copy of emailed messages

Copy of social media messages

Police report

Declaration or Affidavit from the following witness:

Other (describe):

11. Has/have the **victim/s or the respondent** ever requested or obtained protection from the other person in a restraining order, civil protection order, or criminal no-contact order? If yes, list the type of order, the name of the court and the approximate date, and whether the request was granted:

No

12. Is there any other litigation between the victim/s and the respondent? This includes all matters - pending or past - such as parenting plans, landlord-tenant disputes, employment disputes, or property disputes. If yes, provide case number/s if known, type of case, and name of court:

Yes, claims provided
 Case: 2:19-cv-01296-MJP
 filed 8/16/19

➤ Requests

13. I ask the Court for an order approving the following requests for protection:

I Request an **Order for Protection** following a hearing that will:

<input checked="" type="checkbox"/> No-Contact: restrain the respondent from making any attempts or having any contact, including nonphysical contact, with the person/s to be protected, directly, indirectly, or through third parties regardless of whether those third parties know of the order, except for mailing of court documents.
<input checked="" type="checkbox"/> Surveillance: prohibit or restrain the respondent from making any attempt to keep or from keeping the person/s to be protected under surveillance, including electronic surveillance.
<input checked="" type="checkbox"/> Exclude from places: exclude the respondent from the <input checked="" type="checkbox"/> residence <input checked="" type="checkbox"/> workplace <input checked="" type="checkbox"/> school <input type="checkbox"/> day care of the person/s to be protected. <small>of children</small>
<input checked="" type="checkbox"/> Stay Away: Prohibit or restrain the respondent from entering or being within, or from knowingly coming within, or knowingly remaining within _____ (distance) of the <input checked="" type="checkbox"/> residence <input checked="" type="checkbox"/> workplace <input checked="" type="checkbox"/> school <input type="checkbox"/> day care of the person/s to be protected. <input type="checkbox"/> other locations: _____
<input type="checkbox"/> Other:
<input type="checkbox"/> Evaluation: Order the respondent to have a <input type="checkbox"/> mental health <input type="checkbox"/> chemical dependency evaluation. <input type="checkbox"/> other: _____
<input type="checkbox"/> Pay Fees and Costs: Require the respondent to pay fees and costs of this action, which may include administrative court costs and service fees and petitioner's costs including attorneys' fees.
<input checked="" type="checkbox"/> Surrender Firearms: Require the respondent to surrender any firearm or other dangerous weapon, or any concealed pistol license and prohibit the respondent from obtaining or possessing a firearm or other dangerous weapon, or a concealed pistol license.

Duration: Remain effective longer than one year because respondent is likely to resume acts of unlawful harassment or stalking conduct against the persons to be protected if the order expires in a year.

Emergency temporary protection (up to 14 days) until the court hearing:

- An emergency exists as described below. I request that a **Temporary Protection Order** granting the relief I requested above for a no-contact, surveillance, exclude from places, or stay away order be issued immediately, without prior notice to the respondent, to be effective until the hearing.
- I also request a temporary surrender of a firearm or other dangerous weapon without notice to the other party because irreparable injury could result if an order is not issued until the hearing.

What irreparable harm would result if an order is not issued immediately without prior notice to the respondent?

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Dated: 8/29/2019 at Seattle Washington.



Petitioner

Andrew Hahn

Print or type name

I agree to receive legal documents at this address:

325 9th Ave Seattle, WA 98104

This address is not my home address because my family, household or I would be at risk of abuse by respondent if I disclosed my home address.

Omana Thankamma

Jayakrishnan Nair <jknair@gmail.com>

Mon 8/26/2019 9:43 AM

To: Eric Soriano <sorianoe@uw.edu>; Andrew W Hahn <ahahn47@uw.edu>

 7 attachments (8 MB)

Ex_P3.pdf; Ex_P4.pdf; Ex_P1.pdf; Ex_P2.pdf; 19718705925s.pdf; Appendix C.pdf; Appendix A.pdf;

Dear Dr. Soriano:

We are Ms. Thankamma's son and daughter. She has been kept in ILLEGAL isolation for about 50 days with a view to murder her, on which we have filed complaints with FBI and also a federal lawsuit (attached).

We are requesting information about our mother and desperately want to meet her before she dies from the stress from this involuntary solitary confinement. Of course, any physician, like Dr. Hahn (on cc) who foolishly participate in her murder will certainly suffer the consequence, as should be obvious from the proceedings. If she indeed has passed away from this ordeal without seeing us as she craved for, it is unlikely that Dr. Hahn will ever be licensed to practice medicine again. That is our pledge to him.

We are asking you to kindly arrange a meeting with our mother today.

Regards

Jay and Raji

Channa did not pay for your medical degree

Jayakrishnan Nair <jknair@gmail.com>

Tue 8/27/2019 11:42 AM

To: Andrew W Hahn <ahahn47@uw.edu>

Mr. Hahn:

You will do well to remember that your career is at stake here. You will now for ever be known by all not as a doctor but a shameless murderer that psychopathically did all he could to kill his own patient once we publish the complaints online.

You have until today evening before we go public, to arrange a meeting with our mother.

Channa will not be there to save your reputation or your career and she did not pay for your degree. It will be foolish to sacrifice your career and earn our lifelong hostility, as we ABSOLUTELY will not leave you alone if our mother dies from this stress. You had the gall to tell me that you were going on a vacation while I cannot visit my mother. You made a big mistake, and you better correct it for your own sake before it is too late.

If our mother passes away without seeing us one last time, we promise you will suffer the consequence for this evil.

STATE OF WASHINGTON
 COUNTY OF King

The undersigned Clerk of the King County District Court, West Division, does hereby certify that the document upon, which this stamp is imprinted is a true and correct copy of the original document, and the whole of it, as such original document on file with the aforesaid Court. In witness whereof I have set my hand this 29 day of August, 202019.

Court Clerk



**STATE OF WASHINGTON
 KING COUNTY DISTRICT COURT
 WEST DIVISION, Seattle Courthouse**

HAHN, ANDREW W.

Petitioner,

vs.

NAIR, JAYAKRISHNAN

Respondent.

No. 195-01799

**Temporary Protection Order and
 Notice of Hearing – Harassment
 (TMORAH)**

(Clerk's action required)

Next Hearing Date and Time:

9/11/2019 @ 1:30PM, E-301 SLM

At: SEATTLE Courthouse

516 3rd Ave

SEATTLE, WA 98104

Warning to the Respondent: Violation of the provisions of this order with actual notice of its terms is a criminal offense under chapter 10.14 RCW and will subject a violator to arrest. Willful disobedience of the terms of this order may also be contempt of court and subject you to penalties under chapter 7.21 RCW.

Minors addressed in this order:

Name (First, Middle Initial, Last)	Age	Race	Sex

Based upon the petition, testimony, and case record, the court finds that the respondent committed unlawful harassment as defined in RCW 10.14.080, and that great or irreparable injury to the protected person/s will result if this order is not granted. **It is therefore ordered that:**

<input checked="" type="checkbox"/> No-Contact: Respondent is restrained from making any attempts to contact petitioner and any minors named in the above table.
<input checked="" type="checkbox"/> Surveillance: Respondent is restrained from making any attempts to keep under surveillance petitioner and any minors named in the above table.
<input checked="" type="checkbox"/> Stay-Away: Respondent is restrained from entering or being within <u>1000 ft</u> (distance) of petitioner's <input checked="" type="checkbox"/> residence <input checked="" type="checkbox"/> place of employment <input type="checkbox"/> other: <u>Harborview Medical Center</u> <input checked="" type="checkbox"/> The address is confidential <input type="checkbox"/> Petitioner waives confidentiality of the address which is: <u>residence</u>
<input checked="" type="checkbox"/> Other: <u>Dr. Hahn is no longer providing any care whatsoever to Omkaara Amma Thankamma.</u>

Surrender of Weapons Order filed separately

The respondent must comply with the **Order to Surrender Weapons Issued Without Notice** filed separately, which requires the respondent to surrender any firearms and other dangerous weapons.

The court finds that irreparable injury could result if the order to surrender weapons is not issued.

Washington Crime Information Center (WACIC) Data Entry

It is ordered that the clerk of court shall forward a copy of this order on or before the next judicial day to: SEATTLE County Sheriff's Office Police Department **where petitioner lives** which shall enter it into WACIC.

Service

The clerk of court petitioner shall forward a copy of this order on or before the next judicial day to: REDMOND County Sheriff's Office Police Department **where respondent lives** which shall personally serve the respondent with a copy of this order and shall promptly complete and return to this court proof of service.

Or Petitioner shall make private arrangements for service of this order.

Or Respondent appeared in person before the court; further service is not required under RCW 10.14.100(5).

The respondent is directed to appear and show cause why the court should not enter an order for protection effective for one year or more and order the relief requested by the petitioner or other relief the court deems proper, which may include payment of costs.

Failure to appear at the hearing or to otherwise respond will result in the court issuing an order for protection pursuant to RCW 10.14 effective for a minimum of one year from the date of the hearing. The next hearing date and time is shown below the caption on page one.

A copy of this *Temporary Protection Order and Notice of Hearing - Harassment* has been filed with the clerk of the court.

This Temporary Order for Protection is effective until the next hearing date and time shown below the caption on page one.

Dated 8/29/2019 at 12¹⁷ a.m./p.m. 
Judge ARTHUR CHAPMAN

I acknowledge receipt of a copy of this Order:

Signature of Respondent/Lawyer WSBA No.



Signature of Petitioner/Lawyer WSBA No.

Print Name Date

Andrew W. Hahn 8/29/19

Print Name Date

Petitioner or Petitioner's Lawyer must complete a Law Enforcement Information Sheet (LEIS).