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SUPERIOR COURT OF THE STATE OF WASHINGTON
KING COUNTY

PATRICK WILLS, *et al.*,

Plaintiffs,

v.

SEATTLE CHILDREN’S HOSPITAL, a non-
profit Washington Corporation,

Defendant.

No. 19-2-31648-9 SEA

**ANSWER TO SIXTH
AMENDED COMPLAINT**

Defendant Seattle Children’s Hospital answers Plaintiffs’ Sixth Amended Complaint
(the “Complaint”) as follows:

1.1 Seattle Children’s Hospital admits the allegations in paragraph 1.1 of the
Complaint.

1.2 Seattle Children’s Hospital denies the allegations in paragraph 1.2 of the
Complaint.

1.3 Seattle Children’s Hospital denies the allegations in paragraph 1.3 of the
Complaint.

1.4 Seattle Children’s Hospital admits that in 2008 the Patnode family and Seattle
Children’s Hospital agreed to terms to settle the lawsuit brought by the Patnode family. Except

1 as expressly admitted, Seattle Children's Hospital denies the remaining allegations in paragraph
2 1.4 of the Complaint.

3 1.5 Seattle Children's Hospital admits certain plaintiffs purport to bring class claims
4 against Seattle Children's Hospital. Except as expressly admitted, Seattle Children's Hospital
5 denies the allegations in paragraph 1.5 of the Complaint.

6 1.6 Seattle Children's states the class allegations speak for themselves. To the
7 extent a response is required, Seattle Children's denies the allegations in paragraph 1.6 of the
8 Complaint.

9 1.7 Seattle Children's states the allegations speak for themselves. To the extent a
10 response is required, Seattle Children's denies the allegations in paragraph 1.7 of the
11 Complaint.

12 1.8 Seattle Children's denies the allegations in Paragraph 1.8.

13 2.1 Seattle Children's Hospital admits that Aiden Wills was hospitalized at Seattle
14 Children's Hospital on two occasions between August 2008 and March 2009. Except as
15 expressly admitted, Seattle Children's Hospital is without knowledge or information sufficient
16 to form a belief as to the truth or falsity of the allegations in paragraph 2.1 of the Complaint,
17 and therefore denies them.

18 2.2 Seattle Children's Hospital is without knowledge or information sufficient to
19 form a belief as to the truth or falsity of the allegations in paragraph 2.2 of the Complaint, and
20 therefore denies them.

21 2.3 Seattle Children's Hospital admits that Whitney Stettler was a patient at Seattle
22 Children's Hospital for periods of time in 2011 and 2012. Except as expressly admitted,
23 Seattle Children's Hospital is without knowledge or information sufficient to form a belief as to
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1 the truth or falsity of the allegations in paragraph 2.3 of the Complaint, and therefore denies
2 them.

3 2.4 Seattle Children's Hospital is without knowledge or information sufficient to
4 form a belief as to the truth or falsity of the allegations in paragraph 2.4 of the Complaint, and
5 therefore denies them.

6 2.5 Seattle Children's Hospital admits that Ian Gunnell was hospitalized at Seattle
7 Children's Hospital on multiple occasions between 2017 and 2019. Except as expressly
8 admitted, Seattle Children's Hospital is without knowledge or information sufficient to form a
9 belief as to the truth or falsity of the allegations in paragraph 2.5 of the Complaint, and
10 therefore denies them.

11 2.6 Seattle Children's Hospital is without knowledge or information sufficient to
12 form a belief as to the truth or falsity of the allegations in paragraph 2.6 of the Complaint, and
13 therefore denies them.

14 2.7 Seattle Children's Hospital admits that Christopher Hunsucker was a patient at
15 Seattle Children's Hospital in 1997. Except as expressly admitted, Seattle Children's Hospital
16 is without knowledge or information sufficient to form a belief as to the truth or falsity of the
17 allegations in paragraph 2.7 of the Complaint, and therefore denies them.

18 2.8 Seattle Children's Hospital is without knowledge or information sufficient to
19 form a belief as to the truth or falsity of the remaining allegations in paragraph 2.8 of the
20 Complaint, and therefore denies them.

21 2.9 Seattle Children's Hospital admits that Wynn Dee Niemi was a patient at Seattle
22 Children's Hospital on multiple occasions between 1999 and 2005. Except as expressly
23 admitted, Seattle Children's Hospital is without knowledge or information sufficient to form a
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1 belief as to the truth or falsity of the allegations in paragraph 2.9 of the Complaint, and
2 therefore denies them.

3 2.10 Seattle Children's Hospital is without knowledge or information sufficient to
4 form a belief as to the truth or falsity of the remaining allegations in paragraph 2.10 of the
5 Complaint, and therefore denies them.

6 2.11 Seattle Children's Hospital admits that Jennifer Rose Lanktree was a patient at
7 Seattle Children's Hospital on multiple occasions in 2001. Except as expressly admitted,
8 Seattle Children's Hospital is without knowledge or information sufficient to form a belief as to
9 the truth or falsity of the allegations in paragraph 2.11 of the Complaint, and therefore denies
10 them.

11 2.12 Seattle Children's Hospital is without knowledge or information sufficient to
12 form a belief as to the truth or falsity of the remaining allegations in paragraph 2.12 of the
13 Complaint, and therefore denies them.

14 2.13 Seattle Children's Hospital admits that Hannah A. Single-Schwall was a patient
15 at Seattle Children's Hospital on multiple occasions between 2003 and 2005. Except as
16 expressly admitted, Seattle Children's Hospital is without knowledge or information sufficient
17 to form a belief as to the truth or falsity of the allegations in paragraph 2.13 of the Complaint,
18 and therefore denies them.

19 2.14 Seattle Children's Hospital further admits that Blake R. Vaillancourt was a
20 patient at Seattle Children's Hospital on multiple occasions in 2006. Except as expressly
21 admitted, Seattle Children's Hospital is without knowledge or information sufficient to form a
22 belief as to the truth or falsity of the allegations in paragraph 2.14 of the Complaint, and
23 therefore denies them.

1 2.15 Seattle Children’s Hospital is without knowledge or information sufficient to
2 form a belief as to the truth or falsity of the remaining allegations in paragraph 2.15 of the
3 Complaint, and therefore denies them.

4 2.16 Seattle Children’s Hospital admits that Jonathan T. Sahlstrom was a patient at
5 Seattle Children’s Hospital on multiple occasions between 2004 and 2006, including from
6 August 12, 2006 until his death on September 23, 2006. Except as expressly admitted, Seattle
7 Children’s Hospital is without knowledge or information sufficient to form a belief as to the
8 truth or falsity of the allegations in paragraph 2.16 of the Complaint, and therefore denies them.

9 2.17 Seattle Children’s Hospital is without knowledge or information sufficient to
10 form a belief as to the truth or falsity of the remaining allegations in paragraph 2.17 of the
11 Complaint, and therefore denies them.

12 2.18 Seattle Children’s Hospital admits that L.B. was a patient at Seattle Children’s
13 Hospital on multiple occasions between 2003 and 2018. Except as expressly admitted, Seattle
14 Children’s Hospital is without knowledge or information sufficient to form a belief as to the
15 truth or falsity of the allegations in paragraph 2.18 of the Complaint, and therefore denies them.

16 2.19 Seattle Children’s Hospital is without knowledge or information sufficient to
17 form a belief as to the truth or falsity of the remaining allegations in paragraph 2.19 of the
18 Complaint, and therefore denies them.

19 2.20 Seattle Children’s Hospital admits that M.F. was a patient at Seattle Children’s
20 Hospital on multiple occasions in 2011. Except as expressly admitted, Seattle Children’s
21 Hospital is without knowledge or information sufficient to form a belief as to the truth or falsity
22 of the allegations in paragraph 2.20 of the Complaint, and therefore denies them.

1 2.21 Seattle Children’s Hospital is without knowledge or information sufficient to
2 form a belief as to the truth or falsity of the allegations in paragraph 2.21 of the Complaint, and
3 therefore denies them.

4 2.22 Seattle Children’s Hospital denies that A.P. was a patient at Seattle Children’s
5 Hospital in 2011. As to the remaining allegations in paragraph 2.22, Seattle Children’s
6 Hospital is without knowledge or information sufficient to form a belief as to the truth or falsity
7 of the allegations in paragraph 2.22 of the Complaint, and therefore denies them.

8 2.23 Seattle Children’s Hospital is without knowledge or information sufficient to
9 form a belief as to the truth or falsity of the allegations in paragraph 2.23 of the Complaint, and
10 therefore denies them.

11 2.24 Seattle Children’s Hospital admits that Jordan I. Fellows was a patient at Seattle
12 Children’s Hospital on multiple occasions in 2015, including from June 1, 2015 until his death
13 on December 2, 2015. Except as expressly admitted, Seattle Children’s Hospital is without
14 knowledge or information sufficient to form a belief as to the truth or falsity of the allegations
15 in paragraph 2.24 of the Complaint, and therefore denies them.

16 2.25 Seattle Children’s Hospital is without knowledge or information sufficient to
17 form a belief as to the truth or falsity of the allegations in paragraph 2.25 of the Complaint, and
18 therefore denies them.

19 2.26 Seattle Children’s Hospital admits that C.D. was a patient at Seattle Children’s
20 Hospital on multiple occasions in 2016. Except as expressly admitted, Seattle Children’s
21 Hospital is without knowledge or information sufficient to form a belief as to the truth or falsity
22 of the allegations in paragraph 2.26 of the Complaint, and therefore denies them.

1 2.27 Seattle Children’s Hospital is without knowledge or information sufficient to
2 form a belief as to the truth or falsity of the allegations in paragraph 2.27 of the Complaint, and
3 therefore denies them.

4 2.28 Seattle Children’s Hospital admits that S.K. was a patient at Seattle Children’s
5 Hospital on multiple occasions in 2016. Except as expressly admitted, Seattle Children’s
6 Hospital is without knowledge or information sufficient to form a belief as to the truth or falsity
7 of the allegations in paragraph 2.28 of the Complaint, and therefore denies them.

8 2.29 Seattle Children’s Hospital is without knowledge or information sufficient to
9 form a belief as to the truth or falsity of the allegations in paragraph 2.29 of the Complaint, and
10 therefore denies them.

11 2.30 Seattle Children’s Hospital admits that L.K. was a patient at Seattle Children’s
12 Hospital in July 2014. Except as expressly admitted, Seattle Children’s Hospital is without
13 knowledge or information sufficient to form a belief as to the truth or falsity of the allegations
14 in paragraph 2.30 of the Complaint, and therefore denies them.

15 2.31 Seattle Children’s Hospital is without knowledge or information sufficient to
16 form a belief as to the truth or falsity of the allegations in paragraph 2.31 of the Complaint, and
17 therefore denies them.

18 2.32 Seattle Children’s Hospital admits that T. H. was a patient at Seattle Children’s
19 Hospital on multiple occasions in 2018 and 2019. Except as expressly admitted, Seattle
20 Children’s Hospital is without knowledge or information sufficient to form a belief as to the
21 truth or falsity of the allegations in paragraph 2.32 of the Complaint, and therefore denies them.

22 2.33 Seattle Children’s Hospital is without knowledge or information sufficient to
23 form a belief as to the truth or falsity of the allegations in paragraph 2.33 of the Complaint, and
24 therefore denies them.

1 2.34 Seattle Children’s Hospital admits that Kyle Morris was a patient at Seattle
2 Children’s Hospital beginning in 1998. Except as expressly admitted, Seattle Children’s
3 Hospital is without knowledge or information sufficient to form a belief as to the truth or falsity
4 of the allegations in paragraph 2.34 of the Complaint, and therefore denies them.

5 2.35 Seattle Children’s Hospital is without knowledge or information sufficient to
6 form a belief as to the truth or falsity of the allegations in paragraph 2.35 of the Complaint, and
7 therefore denies them.

8 2.36 Seattle Children’s Hospital admits that Margaret Waldrop was a patient at
9 Seattle Children’s Hospital beginning in 2005. Except as expressly admitted, Seattle
10 Children’s Hospital is without knowledge or information sufficient to form a belief as to the
11 truth or falsity of the allegations in paragraph 2.36 of the Complaint, and therefore denies them.

12 2.37 Seattle Children’s Hospital is without knowledge or information sufficient to
13 form a belief as to the truth or falsity of the allegations in paragraph 2.37 of the Complaint, and
14 therefore denies them.

15 2.38 Seattle Children’s Hospital admits that V.A. was a patient at Seattle Children’s
16 Hospital beginning in 2019. Except as expressly admitted, Seattle Children’s Hospital is
17 without knowledge or information sufficient to form a belief as to the truth or falsity of the
18 allegations in paragraph 2.38 of the Complaint, and therefore denies them.

19 2.39 Seattle Children’s Hospital is without knowledge or information sufficient to
20 form a belief as to the truth or falsity of the allegations in paragraph 2.39 of the Complaint, and
21 therefore denies them.

22 2.40 Seattle Children’s Hospital admits that F.F. was a patient at Seattle Children’s
23 Hospital beginning in 2015. Except as expressly admitted, Seattle Children’s Hospital is
24

1 without knowledge or information sufficient to form a belief as to the truth or falsity of the
2 allegations in paragraph 2.40 of the Complaint, and therefore denies them.

3 2.41 Seattle Children's Hospital is without knowledge or information sufficient to
4 form a belief as to the truth or falsity of the allegations in paragraph 2.41 of the Complaint, and
5 therefore denies them.

6 2.42 Seattle Children's Hospital is without knowledge or information sufficient to
7 form a belief as to the truth or falsity of the allegations in paragraph 2.42 of the Complaint, and
8 therefore denies them.

9 2.43 Seattle Children's Hospital admits that Troy Roeder II was a patient at Seattle
10 Children's Hospital beginning in 2017. Except as expressly admitted, Seattle Children's
11 Hospital is without knowledge or information sufficient to form a belief as to the truth or falsity
12 of the allegations in paragraph 2.43 of the Complaint, and therefore denies them.

13 2.44 Seattle Children's Hospital admits that C.F. was a patient at Seattle Children's
14 Hospital beginning in 2012. Except as expressly admitted, Seattle Children's Hospital is
15 without knowledge or information sufficient to form a belief as to the truth or falsity of the
16 allegations in paragraph 2.44 of the Complaint, and therefore denies them.

17 2.45 Seattle Children's Hospital is without knowledge or information sufficient to
18 form a belief as to the truth or falsity of the allegations in paragraph 2.45 of the Complaint, and
19 therefore denies them.

20 2.46 Seattle Children's Hospital admits that V.G. was a patient at Seattle Children's
21 Hospital beginning in 2012. Except as expressly admitted, Seattle Children's Hospital is
22 without knowledge or information sufficient to form a belief as to the truth or falsity of the
23 allegations in paragraph 2.46 of the Complaint, and therefore denies them.

1 2.47 Seattle Children’s Hospital is without knowledge or information sufficient to
2 form a belief as to the truth or falsity of the allegations in paragraph 2.47 of the Complaint, and
3 therefore denies them.

4 2.48 Seattle Children’s Hospital admits that Caitlin Palmer was a patient at Seattle
5 Children’s Hospital beginning in 1998. Except as expressly admitted, Seattle Children’s
6 Hospital is without knowledge or information sufficient to form a belief as to the truth or falsity
7 of the allegations in paragraph 2.48 of the Complaint, and therefore denies them.

8 2.49 Seattle Children’s admits that its main hospital campus is located at 4800
9 Sandpoint Way Northeast, Seattle, Washington. Seattle Children’s otherwise denies the
10 allegations in paragraph 2.49.

11 2.50 Seattle Children’s Hospital admits it is a nonprofit corporation organized under
12 the laws of the State of Washington authorized to do business in the State of Washington, and
13 that it is a healthcare provider. Seattle Children’s Hospital further admits that it is a “healthcare
14 provider” within the meaning of RCW 7.70. The remaining allegations in paragraph 2.51
15 contain legal conclusions to which no response is required. To the extent a response is
16 required, Seattle Children’s Hospital is without knowledge or information sufficient to form a
17 belief as to the truth or falsity of the remaining allegations in paragraph 2.50 of the Complaint,
18 and therefore denies them.

19 2.51 Seattle Children’s Hospital admits that it provided some of the named Plaintiffs
20 certain medical care at its facilities. Except as expressly admitted, Seattle Children’s Hospital
21 is without knowledge or information sufficient to form a belief as to the truth or falsity of the
22 allegations in paragraph 2.51 of the Complaint, and therefore denies them.

23 2.52 The allegations in paragraph 2.52 state legal conclusions, to which no response
24 is required. To the extent a response is required, Seattle Children’s Hospital is without

1 knowledge or information sufficient to form a belief as to the truth or falsity of the allegations
2 in paragraph 2.52 of the Complaint, and therefore denies them.

3 3.1 Seattle Children's Hospital denies the allegations in paragraph 3.1 of the
4 Complaint.

5 3.2 Seattle Children's Hospital denies the allegations in paragraph 3.2 of the
6 Complaint.

7 3.3 Seattle Children's Hospital denies the allegations in paragraph 3.3 of the
8 Complaint.

9 3.4 Seattle Children's Hospital admits that in 2005 Eugene and Clarissa Patnode
10 brought a lawsuit on behalf of their child. Except as expressly admitted, Seattle Children's
11 Hospital denies the remaining allegations in paragraph 3.4 of the Complaint.

12 3.5 Seattle Children's Hospital admits that in 2008 the Patnode family and Seattle
13 Children's Hospital agreed to terms to settle the lawsuit brought by the Patnode family. Except
14 as expressly admitted, Seattle Children's Hospital denies the remaining allegations in paragraph
15 3.5 of the Complaint.

16 3.6 Seattle Children's Hospital denies the allegations in paragraph 3.6 of the
17 Complaint.

18 3.7 Seattle Children's Hospital denies the allegations in paragraph 3.7 of the
19 Complaint.

20 3.8 Seattle Children's Hospital admits that 14 of its surgical patients have developed
21 Aspergillus surgical site infections since 2001. Except as expressly admitted, Seattle
22 Children's Hospital denies the allegations in paragraph 3.8 of the Complaint.

23 4.1 Answering the allegations in paragraph 4.1 of the Complaint, Seattle Children's
24 Hospital does not contest that this Court has subject matter jurisdiction.

1 4.2 Seattle Children’s Hospital does not contest that jurisdiction and venue are
2 proper in this Court. Except as expressly admitted, Seattle Children’s Hospital is without
3 knowledge or information sufficient to form a belief as to the truth or falsity of the allegations
4 in paragraph 4.2 of the Complaint, and therefore denies them.

5 5.1 Seattle Children’s Hospital denies the allegations in paragraph 5.1 and its
6 subparts, except that Seattle Children’s Hospital admits some of the Plaintiffs purport to bring
7 this lawsuit as a class action. Seattle Children’s expressly denies that certification of any class
8 is appropriate under CR 23 in this case.

9 5.2 Seattle Children’s Hospital admits that it gave notice to certain patients and/or
10 their families of the possibility of exposure to Aspergillus. Except as expressly admitted, the
11 allegations in paragraph 5.2 and its subparts state legal conclusions, to which no response is
12 required. To the extent a response is required, Seattle Children’s Hospital denies the
13 allegations in paragraph 5.2.

14 5.3 The allegations in paragraph 5.3 and its subparts state legal conclusions, to
15 which no response is required. To the extent a response is required, Seattle Children’s Hospital
16 denies the allegations in paragraph 5.3 and its subparts.

17 5.4 The allegations in paragraph 5.4 state legal conclusions, to which no response is
18 required. To the extent a response is required, Seattle Children’s Hospital denies the
19 allegations in paragraph 5.4.

20 5.5 The allegations in paragraph 5.5 state legal conclusions, to which no response is
21 required. To the extent a response is required, Seattle Children’s Hospital denies the
22 allegations in paragraph 5.5.

1 5.6 The allegations in paragraph 5.6 state legal conclusions, to which no response is
2 required. To the extent a response is required, Seattle Children’s Hospital denies the
3 allegations in paragraph 5.6.

4 5.7 The allegations in paragraph 5.7 state legal conclusions, to which no response is
5 required. To the extent a response is required, Seattle Children’s Hospital denies the
6 allegations in paragraph 5.7.

7 6.1 Seattle Children’s Hospital admits the allegations in paragraph 6.1.

8 6.2 The allegations in paragraph 6.2 state legal conclusions, to which no response is
9 required. To the extent a response is required, Seattle Children’s Hospital is without
10 knowledge or information sufficient to form a belief as to the truth or falsity of the allegations
11 in paragraph 6.2 of the Complaint, and therefore denies them.

12 6.3 Seattle Children’s Hospital admits Aspergillus is a common mold, and that it
13 can cause various types of infections. As to the remaining allegations in paragraph 6.3 and its
14 subparts, Seattle Children’s Hospital is without knowledge or information sufficient to form a
15 belief as to the truth or falsity of the allegations in paragraph 6.3 of the Complaint, and
16 therefore denies them.

17 6.4 Seattle Children’s Hospital admits that construction began on its Laurelhurst
18 campus in 1951. Seattle Children’s Hospital otherwise denies the allegations in paragraph 6.4.

19 6.5 Seattle Children’s Hospital denies the allegations in paragraph 6.5.

20 6.6 Seattle Children’s Hospital denies the allegations in paragraph 6.6.

21 6.7 Seattle Children’s Hospital denies the allegations in paragraph 6.7.

22 6.8 Seattle Children’s Hospital denies the allegations in paragraph 6.8.

23 6.9 Seattle Children’s Hospital admits that Jane Doe Patnode was a patient at Seattle
24 Children’s Hospital who developed Aspergillosis. Seattle Children’s Hospital further admits

1 that her family sued Seattle Children's Hospital. Seattle Children's otherwise is without
2 knowledge or information sufficient to form a belief as to the truth or falsity of the allegations
3 in paragraph 6.9 of the Complaint, and therefore denies them.

4 6.10 Seattle Children's is without knowledge or information sufficient to form a
5 belief as to the truth or falsity of the allegations in paragraph 6.10 of the Complaint and its
6 subparts, and therefore denies them.

7 6.11 Seattle Children's is without knowledge or information sufficient to form a
8 belief as to the truth or falsity of the allegations in paragraph 6.11 of the Complaint and its
9 subparts, and therefore denies them.

10 6.12 Seattle Children's Hospital denies the allegations in paragraph 6.12 of the
11 Complaint.

12 6.13 Seattle Children's Hospital denies the allegations in paragraph 6.13 of the
13 Complaint.

14 6.14 Paragraph 6.14 of the Complaint is argumentative and assumes facts not in
15 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.14.

16 6.15 Paragraph 6.15 of the Complaint is argumentative and assumes facts not in
17 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.15.

18 6.16 Seattle Children's Hospital admits that Aiden Wills was admitted to Seattle
19 Children's Hospital in March of 2008 shortly after being diagnosed with hemophagocytic
20 lymphohistiocytosis and that he underwent a bone marrow transplant in August 2008. Except
21 as expressly admitted, Seattle Children's Hospital is without knowledge or information
22 sufficient to form a belief as to the truth or falsity of the remaining allegations in paragraph
23 6.16 of the Complaint, and therefore denies them.

1 6.17 Seattle Children’s Hospital is without knowledge or information sufficient to
2 form a belief as to the truth or falsity of the allegations in paragraph 6.17 of the Complaint, and
3 therefore denies them. To the extent Plaintiffs reference information contained in patients’
4 medical records, those records speak for themselves.

5 6.18 Seattle Children’s Hospital is without knowledge or information sufficient to
6 form a belief as to the truth or falsity of the allegations in paragraph 6.18 of the Complaint, and
7 therefore denies them. To the extent Plaintiffs reference information contained in patients’
8 medical records, those records speak for themselves.

9 6.19 Seattle Children’s Hospital admits that Aiden Wills died on March 24, 2009.

10 6.20 Seattle Children’s Hospital is without knowledge or information sufficient to
11 form a belief as to the truth or falsity of the allegations in paragraph 6.20 of the Complaint, and
12 therefore denies them.

13 6.21 Paragraph 6.21 of the Complaint is argumentative and assumes facts not in
14 evidence. Seattle Children’s Hospital denies the allegations in paragraph 6.21.

15 6.22 Paragraph 6.22 of the Complaint is argumentative and assumes facts not in
16 evidence. Seattle Children’s Hospital denies the allegations in paragraph 6.22.

17 6.23 Seattle Children’s Hospital admits that Whitney Stettler was admitted to Seattle
18 Children’s Hospital in 2011 and that a port was placed. Except as expressly admitted, Seattle
19 Children’s Hospital is without knowledge or information sufficient to form a belief as to the
20 truth or falsity of the allegations in paragraph 6.23 of the Complaint, and therefore denies them.
21 To the extent Plaintiffs reference information contained in patients’ medical records, those
22 records speak for themselves.

23 6.24 Seattle Children’s Hospital is without knowledge or information sufficient to
24 form a belief as to the truth or falsity of the allegations in paragraph 6.24 of the Complaint, and

1 therefore denies them. To the extent Plaintiffs reference information contained in patients'
2 medical records, those records speak for themselves.

3 6.25 Seattle Children's Hospital is without knowledge or information sufficient to
4 form a belief as to the truth or falsity of the allegations in paragraph 6.25 of the Complaint, and
5 therefore denies them.

6 6.26 Paragraph 6.26 of the Complaint is argumentative and assumes facts not in
7 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.26.

8 6.27 Paragraph 6.27 of the Complaint is argumentative and assumes facts not in
9 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.27.

10 6.28 Seattle Children's Hospital admits that Ian Gunnell was a patient at Seattle
11 Children's Hospital, and that a central line was inserted on August 30, 2017. Except as
12 expressly admitted, Seattle Children's Hospital is without knowledge or information sufficient
13 to form a belief as to the truth or falsity of the allegations in paragraph 6.28 of the Complaint,
14 and therefore denies them. To the extent Plaintiffs reference information contained in patients'
15 medical records, those records speak for themselves.

16 6.29 Seattle Children's Hospital is without knowledge or information sufficient to
17 form a belief as to the truth or falsity of the allegations in paragraph 6.29 of the Complaint, and
18 therefore denies them. To the extent Plaintiffs reference information contained in patients'
19 medical records, those records speak for themselves.

20 6.30 Seattle Children's Hospital admits the allegations in paragraph 6.30 of the
21 Complaint.

22 6.31 Seattle Children's Hospital is without knowledge or information sufficient to
23 form a belief as to the truth or falsity of the allegations in paragraph 6.31 of the Complaint, and
24 therefore denies them.

1 6.32 Paragraph 6.32 of the Complaint is argumentative and assumes facts not in
2 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.32.

3 6.33 Paragraph 6.33 of the Complaint is argumentative and assumes facts not in
4 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.33.

5 6.34 Seattle Children's Hospital is without knowledge or information sufficient to
6 form a belief as to the truth or falsity of the allegations in paragraph 6.34 of the Complaint, and
7 therefore denies them. To the extent Plaintiffs reference information contained in patients'
8 medical records, those records speak for themselves.

9 6.35 Seattle Children's Hospital is without knowledge or information sufficient to
10 form a belief as to the truth or falsity of the allegations in paragraph 6.35 of the Complaint, and
11 therefore denies them. To the extent Plaintiffs reference information contained in patients'
12 medical records, those records speak for themselves.

13 6.36 Seattle Children's Hospital admits that Christopher Hunsucker was a patient at
14 Seattle Children's Hospital from June 14, 1997 until July 26, 1997. Except as expressly
15 admitted, Seattle Children's Hospital is without knowledge or information sufficient to form a
16 belief as to the truth or falsity of the allegations in paragraph 6.36 of the Complaint, and
17 therefore denies them. To the extent Plaintiffs reference information contained in patients'
18 medical records, those records speak for themselves.

19 6.37 Seattle Children's Hospital is without knowledge or information sufficient to
20 form a belief as to the truth or falsity of the allegations in paragraph 6.37 of the Complaint, and
21 therefore denies them. To the extent Plaintiffs reference information contained in patients'
22 medical records, those records speak for themselves.

23 6.38 Seattle Children's Hospital is without knowledge or information sufficient to
24 form a belief as to the truth or falsity of the allegations in paragraph 6.38 of the Complaint, and

1 therefore denies them. To the extent Plaintiffs reference information contained in patients'
2 medical records, those records speak for themselves.

3 6.39 Seattle Children's Hospital is without knowledge or information sufficient to
4 form a belief as to the truth or falsity of the allegations in paragraph 6.39 of the Complaint, and
5 therefore denies them. To the extent Plaintiffs reference information contained in patients'
6 medical records, those records speak for themselves.

7 6.40 Seattle Children's Hospital admits that Christopher Hunsucker died on July 26,
8 1997. Except as expressly admitted, Seattle Children's Hospital is without knowledge or
9 information sufficient to form a belief as to the truth or falsity of the allegations in paragraph
10 6.40 of the Complaint, and therefore denies them. To the extent Plaintiffs reference
11 information contained in patients' medical records, those records speak for themselves.

12 6.41 Seattle Children's Hospital is without knowledge or information sufficient to
13 form a belief as to the truth or falsity of the allegations in paragraph 6.41 of the Complaint, and
14 therefore denies them.

15 6.42 Paragraph 6.42 of the Complaint is argumentative and assumes facts not in
16 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.42.

17 6.43 Paragraph 6.43 of the Complaint is argumentative and assumes facts not in
18 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.43.

19 6.44 Seattle Children's Hospital admits that Wynn Dee Niemi was a patient at Seattle
20 Children's Hospital on multiple occasions in 2000. Except as expressly admitted, Seattle
21 Children's Hospital is without knowledge or information sufficient to form a belief as to the
22 truth or falsity of the allegations in paragraph 6.44 of the Complaint, and therefore denies them.
23 To the extent Plaintiffs reference information contained in patients' medical records, those
24 records speak for themselves.

1 6.45 Seattle Children’s Hospital is without knowledge or information sufficient to
2 form a belief as to the truth or falsity of the allegations in paragraph 6.45 of the Complaint, and
3 therefore denies them. To the extent Plaintiffs reference information contained in patients’
4 medical records, those records speak for themselves.

5 6.46 Seattle Children’s Hospital admits that Wynn Dee Niemi died on January 11,
6 2018. Except as expressly admitted, Seattle Children’s Hospital is without knowledge or
7 information sufficient to form a belief as to the truth or falsity of the allegations in paragraph
8 6.46 of the Complaint, and therefore denies them. To the extent Plaintiffs reference
9 information contained in patients’ medical records, those records speak for themselves.

10 6.47 Seattle Children’s Hospital is without knowledge or information sufficient to
11 form a belief as to the truth or falsity of the allegations in paragraph 6.47 of the Complaint, and
12 therefore denies them.

13 6.48 Paragraph 6.48 of the Complaint is argumentative and assumes facts not in
14 evidence. Seattle Children’s Hospital denies the allegations in paragraph 6.48.

15 6.49 Paragraph 6.49 of the Complaint is argumentative and assumes facts not in
16 evidence. Seattle Children’s Hospital denies the allegations in paragraph 6.49.

17 6.50 Seattle Children’s Hospital is without knowledge or information sufficient to
18 form a belief as to the truth or falsity of the allegations in paragraph 6.50 of the Complaint, and
19 therefore denies them. To the extent Plaintiffs reference information contained in patients’
20 medical records, those records speak for themselves.

21 6.51 Seattle Children’s Hospital admits that Jennifer Rose Lanktree was a patient at
22 Seattle Children’s Hospital in September 2001. Except as expressly admitted, Seattle
23 Children’s Hospital is without knowledge or information sufficient to form a belief as to the
24 truth or falsity of the allegations in paragraph 6.51 of the Complaint, and therefore denies them.

1 To the extent Plaintiffs reference information contained in patients' medical records, those
2 records speak for themselves.

3 6.52 Seattle Children's Hospital is without knowledge or information sufficient to
4 form a belief as to the truth or falsity of the allegations in paragraph 6.52 of the Complaint, and
5 therefore denies them. To the extent Plaintiffs reference information contained in patients'
6 medical records, those records speak for themselves.

7 6.53 Seattle Children's Hospital is without knowledge or information sufficient to
8 form a belief as to the truth or falsity of the allegations in paragraph 6.53 of the Complaint, and
9 therefore denies them. To the extent Plaintiffs reference information contained in patients'
10 medical records, those records speak for themselves.

11 6.54 Seattle Children's Hospital is without knowledge or information sufficient to
12 form a belief as to the truth or falsity of the allegations in paragraph 6.54 of the Complaint, and
13 therefore denies them. To the extent Plaintiffs reference information contained in patients'
14 medical records, those records speak for themselves.

15 6.55 Seattle Children's Hospital admits that Jennifer Rose Lanktree died in June
16 2006. Seattle Children's Hospital is without knowledge or information sufficient to form a
17 belief as to the truth or falsity of the allegations in paragraph 6.55 of the Complaint, and
18 therefore denies them.

19 6.56 Seattle Children's Hospital is without knowledge or information sufficient to
20 form a belief as to the truth or falsity of the allegations in paragraph 6.56 of the Complaint, and
21 therefore denies them.

22 6.57 Paragraph 6.57 of the Complaint is argumentative and assumes facts not in
23 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.57.
24

1 6.58 Paragraph 6.58 of the Complaint is argumentative and assumes facts not in
2 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.58.

3 6.59 Seattle Children's Hospital is without knowledge or information sufficient to
4 form a belief as to the truth or falsity of the allegations in paragraph 6.59 of the Complaint, and
5 therefore denies them.

6 6.60 Seattle Children's Hospital is without knowledge or information sufficient to
7 form a belief as to the truth or falsity of the allegations in paragraph 6.60 of the Complaint, and
8 therefore denies them. To the extent Plaintiffs reference information contained in patients'
9 medical records, those records speak for themselves.

10 6.61 Seattle Children's Hospital admits that Hannah Single-Schwall was admitted to
11 Seattle Children's Hospital on March 31, 2003 and was a patient there until May 14, 2003.
12 Seattle Children's Hospital further admits that Hannah Single-Schwall was admitted to Seattle
13 Children's Hospital again on May 18, 2003 and remained there until December 8, 2003.
14 Except as expressly admitted, Seattle Children's Hospital is without knowledge or information
15 sufficient to form a belief as to the truth or falsity of the allegations in paragraph 6.61 of the
16 Complaint, and therefore denies them. To the extent Plaintiffs reference information contained
17 in patients' medical records, those records speak for themselves.

18 6.62 Seattle Children's Hospital admits that Hannah Single-Schwall was discharged
19 from Seattle Children's Hospital on December 8, 2003 and readmitted on December 23, 2008.
20 Except as expressly admitted, Seattle Children's Hospital is without knowledge or information
21 sufficient to form a belief as to the truth or falsity of the allegations in paragraph 6.62 of the
22 Complaint, and therefore denies them. To the extent Plaintiffs reference information contained
23 in patients' medical records, those records speak for themselves.

1 6.63 Seattle Children’s Hospital is without knowledge or information sufficient to
2 form a belief as to the truth or falsity of the allegations in paragraph 6.63 of the Complaint, and
3 therefore denies them. To the extent Plaintiffs reference information contained in patients’
4 medical records, those records speak for themselves.

5 6.64 Seattle Children’s Hospital admits that Hannah Single-Schwall was admitted to
6 Seattle Children’s Hospital on February 20, 2004. Except as expressly admitted, Seattle
7 Children’s Hospital is without knowledge or information sufficient to form a belief as to the
8 truth or falsity of the allegations in paragraph 6.64 of the Complaint, and therefore denies them.
9 To the extent Plaintiffs reference information contained in patients’ medical records, those
10 records speak for themselves.

11 6.65 Seattle Children’s Hospital is without knowledge or information sufficient to
12 form a belief as to the truth or falsity of the allegations in paragraph 6.65 of the Complaint, and
13 therefore denies them. To the extent Plaintiffs reference information contained in patients’
14 medical records, those records speak for themselves.

15 6.66 Seattle Children’s Hospital is without knowledge or information sufficient to
16 form a belief as to the truth or falsity of the allegations in paragraph 6.66 of the Complaint, and
17 therefore denies them. To the extent Plaintiffs reference information contained in patients’
18 medical records, those records speak for themselves.

19 6.67 Seattle Children’s Hospital admits that Hannah Single-Schwall was admitted to
20 the PICU on November 28, 2004. Except as expressly admitted, Seattle Children’s Hospital is
21 without knowledge or information sufficient to form a belief as to the truth or falsity of the
22 allegations in paragraph 6.67 of the Complaint, and therefore denies them. To the extent
23 Plaintiffs reference information contained in patients’ medical records, those records speak for
24 themselves.

1 6.68 Seattle Children’s Hospital admits that Hannah Single-Schwall died on February
2 18, 2005. Except as expressly admitted, Seattle Children’s Hospital is without knowledge or
3 information sufficient to form a belief as to the truth or falsity of the allegations in paragraph
4 6.68 of the Complaint, and therefore denies them. To the extent Plaintiffs reference
5 information contained in patients’ medical records, those records speak for themselves.

6 6.69 Seattle Children’s Hospital is without knowledge or information sufficient to
7 form a belief as to the truth or falsity of the allegations in paragraph 6.69 of the Complaint, and
8 therefore denies them.

9 6.70 Paragraph 6.70 of the Complaint is argumentative and assumes facts not in
10 evidence. Seattle Children’s Hospital denies the allegations in paragraph 6.70.

11 6.71 Paragraph 6.71 of the Complaint is argumentative and assumes facts not in
12 evidence. Seattle Children’s Hospital denies the allegations in paragraph 6.71.

13 6.72 Seattle Children’s Hospital admits that Blake Vaillancourt was admitted to
14 Seattle Children’s Hospital in March 2006. Except as expressly admitted, Seattle Children’s
15 Hospital is without knowledge or information sufficient to form a belief as to the truth or falsity
16 of the allegations in paragraph 6.72 of the Complaint, and therefore denies them. To the extent
17 Plaintiffs reference information contained in patients’ medical records, those records speak for
18 themselves.

19 6.73 Seattle Children’s Hospital is without knowledge or information sufficient to
20 form a belief as to the truth or falsity of the allegations in paragraph 6.73 of the Complaint, and
21 therefore denies them. To the extent Plaintiffs reference information contained in patients’
22 medical records, those records speak for themselves.

23 6.74 Seattle Children’s Hospital is without knowledge or information sufficient to
24 form a belief as to the truth or falsity of the allegations in paragraph 6.74 of the Complaint, and

1 therefore denies them. To the extent Plaintiffs reference information contained in patients'
2 medical records, those records speak for themselves.

3 6.75 Seattle Children's Hospital admits that Blake Vaillancourt died on August 18,
4 2006. Except as expressly admitted, Seattle Children's Hospital is without knowledge or
5 information sufficient to form a belief as to the truth or falsity of the allegations in paragraph
6 6.75 of the Complaint, and therefore denies them. To the extent Plaintiffs reference
7 information contained in patients' medical records, those records speak for themselves.

8 6.76 Seattle Children's Hospital is without knowledge or information sufficient to
9 form a belief as to the truth or falsity of the allegations in paragraph 6.76 of the Complaint, and
10 therefore denies them.

11 6.77 Paragraph 6.77 of the Complaint is argumentative and assumes facts not in
12 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.77.

13 6.78 Paragraph 6.78 of the Complaint is argumentative and assumes facts not in
14 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.78.

15 6.79 Paragraph 6.79 does not contain any allegations. To the extent it does, Seattle
16 Children's Hospital denies the allegations in paragraph 6.79.

17 6.80 Seattle Children's Hospital admits that Jonathan T. Sahlstrom was admitted to
18 Seattle Children's Hospital in November 2004 and received inpatient and outpatient treatment
19 for the following two years. Except as expressly admitted, Seattle Children's Hospital is
20 without knowledge or information sufficient to form a belief as to the truth or falsity of the
21 allegations in paragraph 6.80 of the Complaint, and therefore denies them.

22 6.81 Seattle Children's Hospital is without knowledge or information sufficient to
23 form a belief as to the truth or falsity of the allegations in paragraph 6.81 of the Complaint, and
24

1 therefore denies them. To the extent Plaintiffs reference information contained in patients'
2 medical records, those records speak for themselves.

3 6.82 Seattle Children's Hospital admits that Jonathan T. Sahlstrom was admitted to
4 Seattle Children's Hospital in August 2006. Except as expressly admitted, Seattle Children's
5 Hospital is without knowledge or information sufficient to form a belief as to the truth or falsity
6 of the allegations in paragraph 6.82 of the Complaint, and therefore denies them. To the extent
7 Plaintiffs reference information contained in patients' medical records, those records speak for
8 themselves.

9 6.83 Seattle Children's Hospital admits that Jonathan T. Sahlstrom died on
10 September 23, 2006. Except as expressly admitted, Seattle Children's Hospital is without
11 knowledge or information sufficient to form a belief as to the truth or falsity of the allegations
12 in paragraph 6.83 of the Complaint, and therefore denies them.

13 6.84 Seattle Children's Hospital is without knowledge or information sufficient to
14 form a belief as to the truth or falsity of the allegations in paragraph 6.84 of the Complaint, and
15 therefore denies them. To the extent Plaintiffs reference information contained in patients'
16 medical records, those records speak for themselves.

17 6.85 Seattle Children's Hospital is without knowledge or information sufficient to
18 form a belief as to the truth or falsity of the allegations in paragraph 6.85 of the Complaint, and
19 therefore denies them.

20 6.86 Paragraph 6.86 of the Complaint is argumentative and assumes facts not in
21 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.86.

22 6.87 Paragraph 6.87 of the Complaint is argumentative and assumes facts not in
23 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.87.

24

1 6.88 Seattle Children’s Hospital admits that L.B. underwent an adenoidectomy in OR
2 3 at Seattle Children’s Hospital in April 2008. Except as expressly admitted, Seattle Children’s
3 Hospital is without knowledge or information sufficient to form a belief as to the truth or falsity
4 of the allegations in paragraph 6.88 of the Complaint, and therefore denies them. To the extent
5 Plaintiffs reference information contained in patients’ medical records, those records speak for
6 themselves.

7 6.89 Seattle Children’s Hospital is without knowledge or information sufficient to
8 form a belief as to the truth or falsity of the allegations in paragraph 6.89 of the Complaint, and
9 therefore denies them.

10 6.90 Paragraph 6.90 of the Complaint is argumentative and assumes facts not in
11 evidence. Seattle Children’s Hospital denies the allegations in paragraph 6.90.

12 6.91 Paragraph 6.91 of the Complaint is argumentative and assumes facts not in
13 evidence. Seattle Children’s Hospital denies the allegations in paragraph 6.91.

14 6.92 Seattle Children’s Hospital admits that M.F. was admitted to Seattle Children’s
15 Hospital in March 2011. Except as expressly admitted, Seattle Children’s Hospital is without
16 knowledge or information sufficient to form a belief as to the truth or falsity of the allegations
17 in paragraph 6.92 of the Complaint, and therefore denies them. To the extent Plaintiffs
18 reference information contained in patients’ medical records, those records speak for
19 themselves.

20 6.93 Seattle Children’s Hospital is without knowledge or information sufficient to
21 form a belief as to the truth or falsity of the allegations in paragraph 6.93 of the Complaint, and
22 therefore denies them. To the extent Plaintiffs reference information contained in patients’
23 medical records, those records speak for themselves.

1 6.94 Seattle Children’s Hospital is without knowledge or information sufficient to
2 form a belief as to the truth or falsity of the allegations in paragraph 6.94 of the Complaint, and
3 therefore denies them. To the extent Plaintiffs reference information contained in patients’
4 medical records, those records speak for themselves.

5 6.95 Paragraph 6.95 of the Complaint is argumentative and assumes facts not in
6 evidence. Seattle Children’s Hospital denies the allegations in paragraph 6.95.

7 6.96 Paragraph 6.96 of the Complaint is argumentative and assumes facts not in
8 evidence. Seattle Children’s Hospital denies the allegations in paragraph 6.96.

9 6.97 Seattle Children’s Hospital admits that A.P. was a patient at Seattle Children’s
10 Hospital on multiple occasions in 2012 and 2013. Except as expressly admitted, Seattle
11 Children’s Hospital is without knowledge or information sufficient to form a belief as to the
12 truth or falsity of the allegations in paragraph 6.97 of the Complaint, and therefore denies them.
13 To the extent Plaintiffs reference information contained in patients’ medical records, those
14 records speak for themselves.

15 6.98 Seattle Children’s Hospital is without knowledge or information sufficient to
16 form a belief as to the truth or falsity of the allegations in paragraph 6.98 of the Complaint, and
17 therefore denies them. To the extent Plaintiffs reference information contained in patients’
18 medical records, those records speak for themselves.

19 6.99 Seattle Children’s Hospital is without knowledge or information sufficient to
20 form a belief as to the truth or falsity of the allegations in paragraph 6.99 of the Complaint, and
21 therefore denies them. To the extent Plaintiffs reference information contained in patients’
22 medical records, those records speak for themselves.

23 6.100 Paragraph 6.100 of the Complaint is argumentative and assumes facts not in
24 evidence. Seattle Children’s Hospital denies the allegations in paragraph 6.100.

1 6.101 Paragraph 6.101 of the Complaint is argumentative and assumes facts not in
2 evidence. Seattle Children’s Hospital denies the allegations in paragraph 6.101.

3 6.102 Seattle Children’s Hospital is without knowledge or information sufficient to
4 form a belief as to the truth or falsity of the allegations in paragraph 6.102 of the Complaint,
5 and therefore denies them. To the extent Plaintiffs reference information contained in patients’
6 medical records, those records speak for themselves.

7 6.103 Seattle Children’s Hospital admits that Jordan Fellows was admitted to Seattle
8 Children’s Hospital on multiple occasions in 2015. Except as expressly admitted, Seattle
9 Children’s Hospital is without knowledge or information sufficient to form a belief as to the
10 truth or falsity of the allegations in paragraph 6.103 of the Complaint, and therefore denies
11 them. To the extent Plaintiffs reference information contained in patients’ medical records,
12 those records speak for themselves.

13 6.104 Seattle Children’s Hospital is without knowledge or information sufficient to
14 form a belief as to the truth or falsity of the allegations in paragraph 6.104 of the Complaint,
15 and therefore denies them. To the extent Plaintiffs reference information contained in patients’
16 medical records, those records speak for themselves.

17 6.105 Seattle Children’s Hospital admits that Jordan Fellows died on December 2,
18 2015.

19 6.106 Seattle Children’s Hospital is without knowledge or information sufficient to
20 form a belief as to the truth or falsity of the allegations in paragraph 6.106 of the Complaint,
21 and therefore denies them.

22 6.107 Paragraph 6.107 of the Complaint is argumentative and assumes facts not in
23 evidence. Seattle Children’s Hospital denies the allegations in paragraph 6.107.
24

1 6.108 Paragraph 6.108 of the Complaint is argumentative and assumes facts not in
2 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.108.

3 6.109 Seattle Children's Hospital admits that C.D. was admitted to Seattle Children's
4 Hospital on May 9, 2016. Except as expressly admitted, Seattle Children's Hospital is without
5 knowledge or information sufficient to form a belief as to the truth or falsity of the allegations
6 in paragraph 6.109 of the Complaint, and therefore denies them. To the extent Plaintiffs
7 reference information contained in patients' medical records, those records speak for
8 themselves.

9 6.110 Seattle Children's Hospital admits that C.D. was discharged on May 18, 2016.
10 Except as expressly admitted, Seattle Children's Hospital is without knowledge or information
11 sufficient to form a belief as to the truth or falsity of the allegations in paragraph 6.110 of the
12 Complaint, and therefore denies them. To the extent Plaintiffs reference information contained
13 in patients' medical records, those records speak for themselves.

14 6.111 Seattle Children's Hospital is without knowledge or information sufficient to
15 form a belief as to the truth or falsity of the allegations in paragraph 6.111 of the Complaint,
16 and therefore denies them. To the extent Plaintiffs reference information contained in patients'
17 medical records, those records speak for themselves.

18 6.112 Paragraph 6.112 of the Complaint is argumentative and assumes facts not in
19 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.112.

20 6.113 Paragraph 6.113 of the Complaint is argumentative and assumes facts not in
21 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.113.

22 6.114 Seattle Children's Hospital admits that S.K. had a port placed in O.R. 3 on
23 September 8, 2016. Except as expressly admitted, Seattle Children's Hospital is without
24 knowledge or information sufficient to form a belief as to the truth or falsity of the allegations

1 in paragraph 6.114 of the Complaint, and therefore denies them. To the extent Plaintiffs
2 reference information contained in patients' medical records, those records speak for
3 themselves.

4 6.115 Seattle Children's Hospital is without knowledge or information sufficient to
5 form a belief as to the truth or falsity of the allegations in paragraph 6.115 of the Complaint,
6 and therefore denies them. To the extent Plaintiffs reference information contained in patients'
7 medical records, those records speak for themselves.

8 6.116 Seattle Children's Hospital is without knowledge or information sufficient to
9 form a belief as to the truth or falsity of the allegations in paragraph 6.116 of the Complaint,
10 and therefore denies them. To the extent Plaintiffs reference information contained in patients'
11 medical records, those records speak for themselves.

12 6.117 Paragraph 6.117 of the Complaint is argumentative and assumes facts not in
13 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.117.

14 6.118 Paragraph 6.118 of the Complaint is argumentative and assumes facts not in
15 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.118.

16 6.119 Seattle Children's Hospital admits that L.K. was admitted to Seattle Children's
17 Hospital in May 2019. Except as expressly admitted, Seattle Children's Hospital is without
18 knowledge or information sufficient to form a belief as to the truth or falsity of the allegations
19 in paragraph 6.119 of the Complaint, and therefore denies them. To the extent Plaintiffs
20 reference information contained in patients' medical records, those records speak for
21 themselves.

22 6.120 Seattle Children's Hospital is without knowledge or information sufficient to
23 form a belief as to the truth or falsity of the allegations in paragraph 6.120 of the Complaint,
24

1 and therefore denies them. To the extent Plaintiffs reference information contained in patients'
2 medical records, those records speak for themselves.

3 6.121 Seattle Children's Hospital is without knowledge or information sufficient to
4 form a belief as to the truth or falsity of the allegations in paragraph 6.121 of the Complaint,
5 and therefore denies them. To the extent Plaintiffs reference information contained in patients'
6 medical records, those records speak for themselves.

7 6.122 Paragraph 6.127 of the Complaint is argumentative and assumes facts not in
8 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.122.

9 6.123 Paragraph 6.128 of the Complaint is argumentative and assumes facts not in
10 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.123.

11 6.124 Seattle Children's Hospital admits that T.H. was admitted to Seattle Children's
12 Hospital on multiple occasions in 2018 and 2019. Except as expressly admitted, Seattle
13 Children's Hospital is without knowledge or information sufficient to form a belief as to the
14 truth or falsity of the allegations in paragraph 6.124 of the Complaint, and therefore denies
15 them. To the extent Plaintiffs reference information contained in patients' medical records,
16 those records speak for themselves.

17 6.125 Seattle Children's Hospital admits that T.H. underwent surgery at Seattle
18 Children's Hospital on May 17, 2019. Except as expressly admitted, Seattle Children's
19 Hospital is without knowledge or information sufficient to form a belief as to the truth or falsity
20 of the allegations in paragraph 6.125 of the Complaint, and therefore denies them. To the
21 extent Plaintiffs reference information contained in patients' medical records, those records
22 speak for themselves.

23 6.126 Seattle Children's Hospital is without knowledge or information sufficient to
24 form a belief as to the truth or falsity of the allegations in paragraph 6.126 of the Complaint,

1 and therefore denies them. To the extent Plaintiffs reference information contained in patients'
2 medical records, those records speak for themselves.

3 6.127 Seattle Children's Hospital is without knowledge or information sufficient to
4 form a belief as to the truth or falsity of the allegations in paragraph 6.127 of the Complaint,
5 and therefore denies them. To the extent Plaintiffs reference information contained in patients'
6 medical records, those records speak for themselves.

7 6.128 Seattle Children's Hospital is without knowledge or information sufficient to
8 form a belief as to the truth or falsity of the allegations in paragraph 6.128 of the Complaint,
9 and therefore denies them. To the extent Plaintiffs reference information contained in patients'
10 medical records, those records speak for themselves.

11 6.129 Paragraph 6.129 of the Complaint is argumentative and assumes facts not in
12 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.129.

13 6.130 Seattle Children's admits that Kyle Morris was treated at Seattle Children's
14 Hospital. Seattle Children's Hospital is otherwise without knowledge or information sufficient
15 to form a belief as to the truth or falsity of the allegations in paragraph 6.130 of the Complaint,
16 and therefore denies them. To the extent Plaintiffs reference information contained in patients'
17 medical records, those records speak for themselves.

18 6.131 Seattle Children's Hospital is without knowledge or information sufficient to
19 form a belief as to the truth or falsity of the allegations in paragraph 6.131 of the Complaint,
20 and therefore denies them. To the extent Plaintiffs reference information contained in patients'
21 medical records, those records speak for themselves.

22 6.132 Seattle Children's Hospital is without knowledge or information sufficient to
23 form a belief as to the truth or falsity of the allegations in paragraph 6.132 of the Complaint,
24

1 and therefore denies them. To the extent Plaintiffs reference information contained in patients'
2 medical records, those records speak for themselves.

3 6.133 Seattle Children's Hospital is without knowledge or information sufficient to
4 form a belief as to the truth or falsity of the allegations in paragraph 6.133 of the Complaint,
5 and therefore denies them. To the extent Plaintiffs reference information contained in patients'
6 medical records, those records speak for themselves.

7 6.134 Seattle Children's Hospital is without knowledge or information sufficient to
8 form a belief as to the truth or falsity of the allegations in paragraph 6.134 of the Complaint,
9 and therefore denies them. To the extent Plaintiffs reference information contained in patients'
10 medical records, those records speak for themselves.

11 6.135 Paragraph 6.135 of the Complaint is argumentative and assumes facts not in
12 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.135.

13 6.136 Paragraph 6.136 of the Complaint is argumentative and assumes facts not in
14 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.136.

15 6.137 Seattle Children's admits that Margaret Waldrop was treated at Seattle
16 Children's Hospital. Seattle Children's Hospital is otherwise without knowledge or
17 information sufficient to form a belief as to the truth or falsity of the allegations in paragraph
18 6.137 of the Complaint, and therefore denies them. To the extent Plaintiffs reference
19 information contained in patients' medical records, those records speak for themselves.

20 6.138 Seattle Children's Hospital is without knowledge or information sufficient to
21 form a belief as to the truth or falsity of the allegations in paragraph 6.138 of the Complaint,
22 and therefore denies them. To the extent Plaintiffs reference information contained in patients'
23 medical records, those records speak for themselves.

1 6.139 Paragraph 6.139 of the Complaint is argumentative and assumes facts not in
2 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.139.

3 6.140 Paragraph 6.140 of the Complaint is argumentative and assumes facts not in
4 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.140.

5 6.141 Seattle Children's admits that V.A. was treated at Seattle Children's Hospital.
6 Seattle Children's Hospital is otherwise without knowledge or information sufficient to form a
7 belief as to the truth or falsity of the allegations in paragraph 6.141 of the Complaint, and
8 therefore denies them. To the extent Plaintiffs reference information contained in patients'
9 medical records, those records speak for themselves.

10 6.142 Seattle Children's Hospital is otherwise without knowledge or information
11 sufficient to form a belief as to the truth or falsity of the allegations in paragraph 6.142 of the
12 Complaint, and therefore denies them. To the extent Plaintiffs reference information contained
13 in patients' medical records, those records speak for themselves.

14 6.143 Seattle Children's Hospital is otherwise without knowledge or information
15 sufficient to form a belief as to the truth or falsity of the allegations in paragraph 6.143 of the
16 Complaint, and therefore denies them. To the extent Plaintiffs reference information contained
17 in patients' medical records, those records speak for themselves.

18 6.144 Paragraph 6.144 of the Complaint is argumentative and assumes facts not in
19 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.144.

20 6.145 Paragraph 6.145 of the Complaint is argumentative and assumes facts not in
21 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.145.

22 6.146 Seattle Children's admits that F.F. was treated at Seattle Children's Hospital.
23 Seattle Children's Hospital is otherwise without knowledge or information sufficient to form a
24 belief as to the truth or falsity of the allegations in paragraph 6.146 of the Complaint, and

1 therefore denies them. To the extent Plaintiffs reference information contained in patients'
2 medical records, those records speak for themselves.

3 6.147 Seattle Children's Hospital is otherwise without knowledge or information
4 sufficient to form a belief as to the truth or falsity of the allegations in paragraph 6.147 of the
5 Complaint, and therefore denies them. To the extent Plaintiffs reference information contained
6 in patients' medical records, those records speak for themselves.

7 6.148 Paragraph 6.148 of the Complaint is argumentative and assumes facts not in
8 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.148.

9 6.149 Paragraph 6.149 of the Complaint is argumentative and assumes facts not in
10 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.149.

11 6.150 Seattle Children's admits that Troy Roeder II was treated at Seattle Children's
12 Hospital. Seattle Children's Hospital is otherwise without knowledge or information sufficient
13 to form a belief as to the truth or falsity of the allegations in paragraph 6.150 of the Complaint,
14 and therefore denies them. To the extent Plaintiffs reference information contained in patients'
15 medical records, those records speak for themselves.

16 6.152 Seattle Children's Hospital is without knowledge or information sufficient to
17 form a belief as to the truth or falsity of the allegations in paragraph 6.152 of the Complaint,
18 and therefore denies them. To the extent Plaintiffs reference information contained in patients'
19 medical records, those records speak for themselves.

20 6.153 Seattle Children's Hospital is without knowledge or information sufficient to
21 form a belief as to the truth or falsity of the allegations in paragraph 6.153 of the Complaint,
22 and therefore denies them.

23 6.154 Seattle Children's Hospital is without knowledge or information sufficient to
24 form a belief as to the truth or falsity of the allegations in paragraph 6.154 of the Complaint,

1 and therefore denies them. To the extent Plaintiffs reference information contained in patients'
2 medical records, those records speak for themselves.

3 6.155 Paragraph 6.155 of the Complaint is argumentative and assumes facts not in
4 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.155.

5 6.156 Paragraph 6.160 of the Complaint is argumentative and assumes facts not in
6 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.160.

7 6.157 Seattle Children's admits that C.F. was treated at Seattle Children's Hospital.
8 Seattle Children's Hospital and is otherwise without knowledge or information sufficient to
9 form a belief as to the truth or falsity of the allegations in paragraph 6.157 of the Complaint,
10 and therefore denies them. To the extent Plaintiffs reference information contained in patients'
11 medical records, those records speak for themselves.

12 6.158 Seattle Children's Hospital is without knowledge or information sufficient to
13 form a belief as to the truth or falsity of the allegations in paragraph 6.158 of the Complaint,
14 and therefore denies them. To the extent Plaintiffs reference information contained in patients'
15 medical records, those records speak for themselves.

16 6.159 Seattle Children's Hospital is without knowledge or information sufficient to
17 form a belief as to the truth or falsity of the allegations in paragraph 6.159 of the Complaint,
18 and therefore denies them. To the extent Plaintiffs reference information contained in patients'
19 medical records, those records speak for themselves.

20 6.160 Seattle Children's Hospital is without knowledge or information sufficient to
21 form a belief as to the truth or falsity of the allegations in paragraph 6.160 of the Complaint,
22 and therefore denies them.

23 6.161 Paragraph 6.161 of the Complaint is argumentative and assumes facts not in
24 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.161.

1 6.162 Paragraph 6.162 of the Complaint is argumentative and assumes facts not in
2 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.162.

3 6.163 Seattle Children's admits that V.G. was treated at Seattle Children's Hospital.
4 Seattle Children's Hospital is otherwise without knowledge or information sufficient to form a
5 belief as to the truth or falsity of the allegations in paragraph 6.163 of the Complaint, and
6 therefore denies them. To the extent Plaintiffs reference information contained in patients'
7 medical records, those records speak for themselves.

8 6.164 Seattle Children's Hospital is without knowledge or information sufficient to
9 form a belief as to the truth or falsity of the allegations in paragraph 6.164 of the Complaint,
10 and therefore denies them. To the extent Plaintiffs reference information contained in patients'
11 medical records, those records speak for themselves.

12 6.165 Seattle Children's Hospital is without knowledge or information sufficient to
13 form a belief as to the truth or falsity of the allegations in paragraph 6.165 of the Complaint,
14 and therefore denies them. To the extent Plaintiffs reference information contained in patients'
15 medical records, those records speak for themselves.

16 6.166 Paragraph 6.166 of the Complaint is argumentative and assumes facts not in
17 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.166.

18 6.167 Seattle Children's admits that Caitlin Palmer was treated at Seattle Children's
19 Hospital. Seattle Children's Hospital is otherwise without knowledge or information sufficient
20 to form a belief as to the truth or falsity of the allegations in paragraph 6.167 of the Complaint,
21 and therefore denies them. To the extent Plaintiffs reference information contained in patients'
22 medical records, those records speak for themselves.

23 6.168 Seattle Children's Hospital is without knowledge or information sufficient to
24 form a belief as to the truth or falsity of the allegations in paragraph 6.168 of the Complaint,

1 and therefore denies them. To the extent Plaintiffs reference information contained in patients'
2 medical records, those records speak for themselves.

3 6.169 Seattle Children's Hospital is without knowledge or information sufficient to
4 form a belief as to the truth or falsity of the allegations in paragraph 6.169 of the Complaint,
5 and therefore denies them. To the extent Plaintiffs reference information contained in patients'
6 medical records, those records speak for themselves.

7 6.170 Seattle Children's Hospital is without knowledge or information sufficient to
8 form a belief as to the truth or falsity of the allegations in paragraph 6.170 of the Complaint,
9 and therefore denies them. To the extent Plaintiffs reference information contained in patients'
10 medical records, those records speak for themselves.

11 6.171 Seattle Children's Hospital is without knowledge or information sufficient to
12 form a belief as to the truth or falsity of the allegations in paragraph 6.171 of the Complaint,
13 and therefore denies them.

14 6.172 Paragraph 6.172 of the Complaint is argumentative and assumes facts not in
15 evidence. Seattle Children's Hospital denies the allegations in paragraph 6.172.

16 6.173 Seattle Children's Hospital admits that the Washington State Department of
17 Health and Centers for Medicare and Medicaid Services conducted a site visit in October of
18 2017, after which a Statement of Deficiencies was issued. Except as expressly admitted,
19 Seattle Children's Hospital denies the remaining allegations in paragraph 6.173 of the
20 Complaint.

21 6.174 Seattle Children's Hospital admits that in June 2018, it temporarily closed two
22 of its operating rooms and one equipment storage room after Aspergillus spores were detected
23 in an equipment storage room. Except as expressly admitted, Seattle Children's Hospital
24 denies the remaining allegations in paragraph 6.174 of the Complaint.

1 6.175 Seattle Children’s Hospital denies the allegations in paragraph 6.175 and its
2 subparts.

3 6.176 Seattle Children’s Hospital admits that CDC conducted a site visit and issued a
4 report in July 2019 (“CDC Report”). The remaining allegations contained in paragraph 6.176
5 are statements that do not require a response, as the CDC Report speaks for itself. To the
6 extent a response is required, Seattle Children’s Hospital denies the characterizations of the
7 CDC Report contained in this paragraph 6.176.

8 6.177 The allegations contained in paragraph 6.177 are statements that do not require a
9 response, as the CDC Report speaks for itself. To the extent a response is required, Seattle
10 Children’s Hospital denies the characterizations of the CDC Report contained in this paragraph
11 6.177.

12 6.178 The allegations contained in paragraph 6.178 are statements that do not require a
13 response, as the CDC Report speaks for itself. To the extent a response is required, Seattle
14 Children’s Hospital denies the characterizations of the CDC Report contained in this paragraph
15 6.178.

16 6.178 The allegations contained in paragraph 6.179 are statements that do not require a
17 response, as the CDC Report speaks for itself. To the extent a response is required, Seattle
18 Children’s Hospital denies the characterizations of the CDC Report contained in this paragraph
19 6.179.

20 6.180 The allegations contained in paragraph 6.180 are statements that do not require a
21 response, as the CDC Report speaks for itself. To the extent a response is required, Seattle
22 Children’s Hospital denies the characterizations of the CDC Report contained in this paragraph
23 6.180.

1 6.181 The allegations contained in paragraph 6.181 are statements that do not require a
2 response, as the CDC Report speaks for itself. To the extent a response is required, Seattle
3 Children’s Hospital denies the characterizations of the CDC Report contained in this paragraph
4 6.181.

5 6.182 The allegations contained in paragraph 6.182 are statements that do not require a
6 response, as the CDC Report speaks for itself. To the extent a response is required, Seattle
7 Children’s Hospital denies the characterizations of the CDC Report contained in this paragraph
8 6.182.

9 6.183 The allegations contained in paragraph 6.183 are statements that do not require a
10 response, as the CDC Report speaks for itself. To the extent a response is required, Seattle
11 Children’s Hospital denies the characterizations of the CDC Report contained in this paragraph
12 6.183.

13 6.184 The allegations contained in paragraph 6.184 are statements that do not require a
14 response, as the CDC Report speaks for itself. To the extent a response is required, Seattle
15 Children’s Hospital denies the characterizations of the CDC Report contained in this paragraph
16 6.184.

17 6.185 Seattle Children’s Hospital admits that it began reopening its operating rooms
18 on July 4, 2019. Except as expressly admitted, Seattle Children’s denies the remaining
19 allegations in paragraph 6.185 of the Complaint.

20 6.186 Seattle Children’s Hospital denies the allegations in paragraph 6.186 of the
21 Complaint.

22 6.187 Seattle Children’s Hospital denies the allegations in paragraph 6.187 of the
23 Complaint.

24

1 6.188 Seattle Children’s Hospital admits that it replaced an air handling unit that
2 serves its operating room. Except as expressly admitted, Seattle Children’s Hospital denies the
3 remaining allegations in paragraph 6.188 of the Complaint.

4 6.189 Paragraph 6.189 of the Complaint is argumentative and assumes facts that are
5 not in evidence. Seattle Children’s Hospital denies the allegations in paragraph 6.189 of the
6 Complaint.

7 7.1 The allegations in paragraph 7.1 state legal conclusions, to which no response is
8 required. To the extent a response is required, Seattle Children’s Hospital admits that it has a
9 legal duty as defined by Washington law, but is otherwise without knowledge or information
10 sufficient to form a belief as to the truth or falsity of the allegations in paragraph 7.1 of the
11 Complaint, and therefore denies them.

12 7.2 The allegations in paragraph 7.2 state legal conclusions, to which no response is
13 required. To the extent a response is required, Seattle Children’s Hospital admits that it has a
14 legal duty as defined by Washington law, but is otherwise is without knowledge or information
15 sufficient to form a belief as to the truth or falsity of the allegations in paragraph 7.2 of the
16 Complaint, and therefore denies them.

17 7.3 The allegations in paragraph 7.3 state legal conclusions, to which no response is
18 required. To the extent a response is required, Seattle Children’s Hospital admits that it has a
19 legal duty as defined by Washington law, but is otherwise is without knowledge or information
20 sufficient to form a belief as to the truth or falsity of the allegations in paragraph 7.3 of the
21 Complaint, and therefore denies them.

22 7.4 The allegations in paragraph 7.4 and its subparts state legal conclusions, to
23 which no response is required. To the extent a response is required, Seattle Children’s Hospital
24 denies the allegations in paragraph 7.4 and its subparts.

1 7.5 The allegations in paragraph 7.5 state legal conclusions, to which no response is
2 required. To the extent a response is required, Seattle Children’s Hospital denies the
3 allegations in paragraph 7.5.

4 7.6 The allegations in paragraph 7.6 state legal conclusions, to which no response is
5 required. To the extent a response is required, Seattle Children’s Hospital denies the
6 allegations in paragraph 7.6.

7 7.7 The allegations in paragraph 7.7 state legal conclusions, to which no response is
8 required. To the extent a response is required, Seattle Children’s Hospital denies the
9 allegations in paragraph 7.7.

10 8.1 The allegations in paragraph 8.1 state legal conclusions, to which no response is
11 required. To the extent a response is required, Seattle Children’s Hospital denies the
12 allegations in paragraph 8.1.

13 8.2 The allegations in paragraph 8.2 state legal conclusions, to which no response is
14 required. To the extent a response is required, Seattle Children’s Hospital denies the
15 allegations in paragraph 8.2.

16 8.3 The allegations in paragraph 8.3 state legal conclusions, to which no response is
17 required. To the extent a response is required, Seattle Children’s Hospital denies the
18 allegations in paragraph 8.3.

19 8.4 The allegations in paragraph 8.4 state legal conclusions, to which no response is
20 required. To the extent a response is required, Seattle Children’s Hospital admits that it has a
21 legal duty as defined by Washington law, denies that the child plaintiffs were business invitees,
22 and is otherwise is without knowledge or information sufficient to form a belief as to the truth
23 or falsity of the allegations in paragraph 8.4 of the Complaint, and therefore denies them.
24

1 8.5 The allegations in paragraph 8.5 state legal conclusions, to which no response is
2 required. To the extent a response is required, Seattle Children’s Hospital denies the
3 allegations in paragraph 8.5.

4 8.6 The allegations in paragraph 8.6 state legal conclusions, to which no response is
5 required. To the extent a response is required, Seattle Children’s Hospital denies the
6 allegations in paragraph 8.6.

7 8.7 The allegations in paragraph 8.7 state legal conclusions, to which no response is
8 required. To the extent a response is required, Seattle Children’s Hospital admits that it has a
9 legal duty as defined by Washington law, but is otherwise denies the allegations in paragraph
10 8.7.

11 9.1 The allegations in paragraph 9.1 state legal conclusions, to which no response is
12 required. To the extent a response is required, Seattle Children’s Hospital denies the
13 allegations in paragraph 9.1.

14 9.2 The allegations in paragraph 9.2 state legal conclusions, to which no response is
15 required. To the extent a response is required, Seattle Children’s Hospital denies the
16 allegations in paragraph 9.2.

17 9.3 The allegations in paragraph 9.3 state legal conclusions, to which no response is
18 required. To the extent a response is required, Seattle Children’s Hospital denies the
19 allegations in paragraph 9.3.

20 9.4 The allegations in paragraph 9.4 state legal conclusions, to which no response is
21 required. To the extent a response is required, Seattle Children’s Hospital denies the
22 allegations in paragraph 9.4.

23 10.1 Paragraph 10.1 of the Complaint is argumentative and assumes facts not in
24 evidence. In addition, the allegations in paragraph 10.1 state legal conclusions, to which no

1 response is required. To the extent a response is required, Seattle Children's Hospital denies
2 the allegations in paragraph 10.1.

3 10.2 Paragraph 10.2 of the Complaint is argumentative and assumes facts not in
4 evidence. In addition, the allegations in paragraph 10.2 state legal conclusions, to which no
5 response is required. To the extent a response is required, Seattle Children's Hospital denies
6 the allegations in paragraph 10.2.

7 10.3 Paragraph 10.3 of the Complaint is argumentative and assumes facts not in
8 evidence. In addition, the allegations in paragraph 10.3 state legal conclusions, to which no
9 response is required. To the extent a response is required, Seattle Children's Hospital denies
10 the allegations in paragraph 10.3.

11 10.4 The allegations in paragraph 10.4 state legal conclusions, to which no response
12 is required. To the extent a response is required, Seattle Children's Hospital denies the
13 allegations in paragraph 10.4.

14 11.1 The allegations in paragraph 11.1 state legal conclusions, to which no response
15 is required. To the extent a response is required, Seattle Children's Hospital denies the
16 allegations in paragraph 11.1.

17 11.2 The allegations in paragraph 11.2 state legal conclusions, to which no response
18 is required. To the extent a response is required, Seattle Children's Hospital admits that it has
19 the legal relationship defined by Washington law, but is otherwise is without knowledge or
20 information sufficient to form a belief as to the truth or falsity of the allegations in paragraph
21 11.2 of the Complaint, and therefore denies them.

22 11.3 The allegations in paragraph 11.3 state legal conclusions, to which no response
23 is required. To the extent a response is required, Seattle Children's Hospital admits that it has a
24

1 legal duty as defined by Washington law, but denies the characterization of the duty contained
2 in this paragraph.

3 11.4 Paragraph 11.4 of the Complaint is argumentative and assumes facts not in
4 evidence. In addition, the allegations in paragraph 11.4 state legal conclusions, to which no
5 response is required. To the extent a response is required, Seattle Children's Hospital denies
6 the allegations in paragraph 11.4.

7 11.5 Paragraph 11.5 of the Complaint is argumentative and assumes facts not in
8 evidence. In addition, the allegations in paragraph 11.5 state legal conclusions, to which no
9 response is required. To the extent a response is required, Seattle Children's Hospital denies
10 the allegations in paragraph 11.5.

11 11.6 Paragraph 11.6 of the Complaint is argumentative and assumes facts not in
12 evidence. In addition, the allegations in paragraph 11.6 state legal conclusions, to which no
13 response is required. To the extent a response is required, Seattle Children's Hospital denies
14 the allegations in paragraph 11.6.

15 11.7 The allegations in paragraph 11.7 state legal conclusions, to which no response
16 is required. To the extent a response is required, Seattle Children's Hospital denies the
17 allegations in paragraph 11.7.

18 11.8 The allegations in paragraph 11.8 state legal conclusions, to which no response
19 is required. To the extent a response is required, Seattle Children's Hospital denies the
20 allegations in paragraph 11.8.

21 11.9 Paragraph 11.9 of the Complaint is argumentative and assumes facts not in
22 evidence. In addition, the allegations in paragraph 11.9 state legal conclusions, to which no
23 response is required. To the extent a response is required, Seattle Children's Hospital denies
24 the allegations in paragraph 11.9.

1 11.10 Paragraph 11.10 of the Complaint is argumentative and assumes facts not in
2 evidence. In addition, the allegations in paragraph 11.10 state legal conclusions, to which no
3 response is required. To the extent a response is required, Seattle Children’s Hospital denies
4 the allegations in paragraph 11.10.

5 11.11 The allegations in paragraph 11.11 state legal conclusions, to which no response
6 is required. To the extent a response is required, Seattle Children’s Hospital denies the
7 allegations in paragraph 11.11.

8 11.12 The allegations in paragraph 11.12 state legal conclusions, to which no response
9 is required. To the extent a response is required, Seattle Children’s Hospital denies the
10 allegations in paragraph 11.12.

11 11.13 Paragraph 11.13 of the Complaint is argumentative and assumes facts not in
12 evidence. In addition, the allegations in paragraph 11.13 state legal conclusions, to which no
13 response is required. To the extent a response is required, Seattle Children’s Hospital denies
14 the allegations in paragraph 11.13.

15 11.14 Paragraph 11.14 of the Complaint is argumentative and assumes facts not in
16 evidence. In addition, the allegations in paragraph 11.14 state legal conclusions, to which no
17 response is required. To the extent a response is required, Seattle Children’s Hospital denies
18 the allegations in paragraph 11.14.

19 12.1 The allegations in paragraph 12.1 state legal conclusions, to which no response
20 is required. To the extent a response is required, Seattle Children’s Hospital denies the
21 allegations in paragraph 12.1.

22 12.2 The allegations in paragraph 12.2 state legal conclusions, to which no response
23 is required. To the extent a response is required, Seattle Children’s Hospital denies the
24 allegations in paragraph 12.2.

1 12.3 The allegations in paragraph 12.3 state legal conclusions, to which no response
2 is required. To the extent a response is required, Seattle Children’s Hospital denies the
3 allegations in paragraph 12.3.

4 12.4 The allegations in paragraph 12.4 state legal conclusions, to which no response
5 is required. To the extent a response is required, Seattle Children’s Hospital denies the
6 allegations in paragraph 12.4.

7 12.5 The allegations in paragraph 12.5 state legal conclusions, to which no response
8 is required. To the extent a response is required, Seattle Children’s Hospital denies the
9 allegations in paragraph 12.5.

10 13.1 The allegations in paragraph 13.1 state legal conclusions, to which no response
11 is required. To the extent a response is required, Seattle Children’s Hospital is without
12 knowledge or information sufficient to form a belief as to the truth or falsity of the allegations
13 in paragraph 13.1 of the Complaint, and therefore denies them.

14 14.1 The allegations in paragraph 14.1 state legal conclusions, to which no response
15 is required. To the extent a response is required, Seattle Children’s Hospital is without
16 knowledge or information sufficient to form a belief as to the truth or falsity of the allegations
17 in paragraph 14.1 of the Complaint, and therefore denies them.

18 The remainder of Plaintiffs’ Complaint contains a prayer for relief to which no response
19 is required. To the extent a response is required, Seattle Children’s Hospital denies any
20 liability and states Plaintiffs are not entitled to any of the relief they seek.

21 **UNANSWERED ALLEGATION AND ANSWER TO PRAYER FOR RELIEF**

22 Any allegations not admitted or otherwise addressed above are hereby denied, and
23 Seattle Children’s Hospital denies that Plaintiffs are entitled to any of the relief requested in the
24 Complaint.

1 **DEFENSES**

2 Without assuming any burden of proof, persuasion, or production not otherwise legally
3 assigned to it as to any element of Plaintiffs' claims, Seattle Children's Hospital asserts the
4 affirmative and other defenses set forth below.

5 **FIRST DEFENSE**
6 (Failure to State a Claim)

7 Plaintiffs have failed to state a claim upon which relief can be granted against Seattle
8 Children's Hospital.

9 **SECOND DEFENSE**
10 (Acts of Third Parties)

11 Plaintiffs' damages, if any, resulted from the acts or omissions of other persons or
12 entities not party to this proceeding.

13 **THIRD DEFENSE**
14 (Statute of Limitations/Repose)

15 Some of the named plaintiffs' and other putative class members' claims are barred by
16 the applicable statutes of limitation and repose.

17 **FOURTH DEFENSE**
18 (Class Action is Improper)

19 This lawsuit should not proceed as a class action because the named Plaintiffs are not
20 typical of and cannot fairly and adequately represent the purported class, because a class action
21 will not be superior to other methods available for the adjudication of this controversy, and
22 because Plaintiffs otherwise fail to satisfy the criteria for a class action.¹
23

24 ¹ Seattle Children's incorporates by reference its briefing on plaintiffs' motion for class certification.

1 **FIFTH DEFENSE**
2 (Pre-Existing Condition)

3 Plaintiffs' injuries or damages, if any, were caused in whole or in part by a pre-existing
4 condition or conditions.

5 **SIXTH DEFENSE**
6 (Failure to Mitigate)

7 Plaintiff may have failed to mitigate damages, if any.

8 **SEVENTH DEFENSE**
9 (At Fault Persons and Entities)

10 To the extent one or more of the plaintiffs is successful in proving any claims, Seattle
11 Children's Hospital is liable only for its proportionate share of the total damages, if any,
12 pursuant to chapter 4.22 RCW. To the extent that any entity or person contributed to that
13 plaintiff's injuries and damages, and was at fault in doing so, Seattle Children's Hospital
14 requests that liability be apportioned according to the percentage of fault of the plaintiff and
15 any other persons, parties, or third parties, in accordance with chapter 4.22 RCW. Any
16 verdict/judgment should be reduced pursuant to the provisions of chapter 4.22 RCW. Seattle
17 Children's Hospital further expressly reserves the right, in the event that the plaintiff settles or
18 has already settled with other persons, parties, or third parties, to seek a credit.

19 **EIGHTH DEFENSE**
20 (Laches)

21 Plaintiffs' claims are barred by the doctrine of laches.

22 **NINTH DEFENSE**
23 (Improper Joinder/Separate Trials)

24 Plaintiffs have improperly joined their claims in this action and/or their claims should
be severed and tried separately pursuant to Civil Rules 20 and 42.

1 **REQUEST FOR PERIODIC PAYMENTS**

2 In the event a verdict or award of future economic damages of at least one hundred
3 thousand dollars is made, defendant Seattle Children’s Hospital requests that the Court enter a
4 judgment which provides for the periodic payment in whole or in part of the future economic
5 damages, pursuant to RCW 4.56.260.

6 **RESERVATION**

7 Seattle Children’s Hospital reserves the right to supplement, amend, or modify these
8 defenses and affirmative defenses, as appropriate based on information obtained during the
9 course of this matter, and expressly reserves all defenses that may be available on the claims of
10 putative class members, in the event a class of some kind is certified.

11 **PRAYER FOR RELIEF**

12 **WHEREFORE**, Seattle Children’s Hospital prays for judgment as follows:

- 13 1. That Plaintiffs takes nothing by way of their Complaint;
14 2. That the Court enter judgment for Seattle Children’s Hospital; and
15 3. For such other and further relief as the Court may deem proper.

16 DATED this 22nd day of September, 2022.

17 DAVIS WRIGHT TREMAINE LLP

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CERTIFICATE OF SERVICE

I hereby certify that I caused the document to which this certificate is attached to be delivered to the following via court e-service and email:

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Declared under penalty of perjury under the laws of the state of Washington this 22nd day of September, 2022.

s/ Brad Fisher

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