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CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

WILLIAM SHEEHAN III,

Plaintiff

vs.

KING COUNTY, EXPERIAN aka TRW a
corporation registered in the state of Ohio,
TRANS UNION, a corporation in the state of
Delaware, CBI/EQUIFAX is a corporation
registered in the state of Georgia, EXECUTIVE
REPORTING SERVICES CORPORATION
registered in the state of Washington, SCA
CREDIT, UNITED COLLECTIONS,
NATIONWIDE CREDIT, CATHY
GEHRING and her husband JOHN DOE
GEHRING, King County, Bellevue Police
officers JAMES LINDQUIST and his wife
JANE DOE LINDQUIST, RAYMOND
LOFINK and his wife JANE DOE LOFINK,
Detective RAJH JOHAL and his wife Jane Doe
Johal.

Defendant

No.

097-1360
COMPLAINT

I. PARTIES, VENUE, AND JURISDICTION

1.1 This is an action arising under the laws and Constitution of the United States and involves claims of more than \$50,000. This court has jurisdiction under 28 U.S.C. Sec. 1331 and 1343.

1.2 This action is brought under 42 U.S.C. 1983 (Civil Rights Act of 1871) relating to the plaintiff's exercise of his rights under the Constitution of the

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United States. This claim is also brought under Title 15 U.S.C §1681p (Fair Debt Collections Practices Act). The plaintiff also brings several state common law torts as causes of actions and prays that the court exercise pendent jurisdiction of those claims.

1.3 William A. Sheehan III is a resident of King County, Washington, which is located in the Western District of Washington.

1.4 SCA Credit is a collection agency that does business in the Western State of Washington. United Collections is a collection agency that does business in the Western District of Washington. Nationwide Credit is a collection agency that does business in the Western District of Washington. The aforementioned collection agencies are referred to herein collectively as "defendant collection agencies".

1.5 Experian, formally known as TRW, is a credit-reporting agency that does business in the Western District of Washington. Trans Union is a credit-reporting agency that does business in the Western District of Washington. CBI/Equifax is a credit-reporting agency that does business in the Western District of Washington. Executive Reporting Services is a credit-reporting agency doing business in the Western District of Washington. These credit-reporting agencies are herein collectively referred to as "defendant credit-reporting agencies".

1.6 King County is a municipal corporation located in King County in the state of Washington.

1.7 Kathy Gehring is an employee of the King County Collection Enforcement Department.

1.6 Bellevue Police officers Lindquist, Lofink and Johal are employed by the Bellevue Police Department located in the city of Bellevue in the state of Washington.

1.8 This court has jurisdiction under Title 15 U.S.C §1681p (Fair Debt Collections Practices Act).

1.9 This court has jurisdiction under Title 42 U.S.C. 1983.

II. FACTS

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5 2.1 Plaintiff realleges paragraphs 1.1 through 1.9.

6 2.2 Beginning in July of 1995, the plaintiff started inquires and correction of his credit
7 reports. During that time up until approximately April of 1997, the defendant collection agencies
8 refused documentation on proof of debts listed in his credit reports.

9 2.3 During the time of the inquiries the plaintiff provided the defendant collection agencies
10 with proof of the need for several corrections on his credit report. After presenting the proof to the
11 defendant credit agencies, the agencies agreed to remove the inaccurate information from his credit
12 report.

13 2.4 While attempting to correct his credit reports, the plaintiff encountered a number of
14 difficulties in obtaining the corrections from both the defendant credit agencies and others that are
15 not defendants in this action. As a result of these difficulties, the plaintiff investigated and published
16 an expose on the Internet, detailing the lack of accountability that credit agencies have when
17 publishing erroneous reports. As part of his expose, on or about October 1st 1996 the plaintiff
18 published detailed information about employees at SCA Credit on the Internet. The plaintiff's
19 published expose was protected by the First Amendment to the United States Constitution.

20 2.5 As a result of the plaintiff's published expose, on October 9th 1996 defendants King
21 County, James Lindquist, Raymond Lofink and Rajh Johal arrested and imprisoned the plaintiff.

22 2.6 After plaintiff was arrested, defendants Lindquist and Johal intercepted privileged
23 communications between the plaintiff and his attorney.

24 2.7 The defendant SCA Credit on December 20th 1996 acting on behalf of King County,
25 wrongfully garnished the plaintiffs bank accounts.

26 2.8 After the plaintiff informed SCA Credit and their attorney, Robert Friedman, that the
27 garnishment was wrongful, the defendant SCA Credit and their attorney refused to return the
28 money from the wrongful garnishment.

2.9 On or about February 6th 1997, defendant Kathy Gehring of the King County Collection Department furnished debtor information to the Everett Herald. The Everett Herald then published this information on February 6th 1997.

2.10 The plaintiff continues to receive harassing telephone calls to his residence that contain threats of violence from the defendant collection agencies agents.

2.11 On or about April 25th 1997, the plaintiff applied for a home loan through Shelter Mortgage. The report was purchased through defendant Executive Reporting Services, and wrongfully contained debtor information that the plaintiff had previously corrected.

2.12 All of the information listed upon that report is a compilation of the three (3) defendant credit reporting agencies. Most of the information were not debts owed by the plaintiff, and were known to be inaccurate by the defendant collection agencies and the defendant credit reporting agencies because of the previous corrections made by the plaintiff.

2.13 All of the aforementioned unlawful acts by the defendants were done for the purpose of stopping the defendant from publishing his expose of the collection industry on the Internet.

III. CAUSE OF ACTION #1 – VIOLATION OF FAIR DEBT COLLECTIONS PRACTICES ACT

3.1 Plaintiff realleges paragraphs 1.1 through 2.13.

3.2 The unlawful actions of Defendant King County are violations of the Fair Debt Collections Practices Act Sections, 1692d(3), 1692f.

3.3 The unlawful actions of Defendant collections agencies are violations of the Fair Debt Collections Practices Act Sections, 1692(c)(d)(e)(f)(g), 1681(c)(i).

3.4 The unlawful actions of Kathy Gehring, are violations of the Fair Debt Collections Practices Act Sections, 1692(c).

IV. CAUSE OF ACTION #2 – VIOLATION OF FAIR CREDIT REPORTING ACT

4.1 Plaintiff realleges paragraphs 1.1 through 3.4.

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4.2 The unlawful actions of Defendant credit reporting agencies are violations of Fair Credit
5 Reporting Act, Sections 1681 (c)(i).

6 **V. CAUSE OF ACTION #3 - DENIAL OF CIVIL RIGHTS, 42 U.S.C 1983**

7 5.1 Plaintiff realleges paragraphs 1.1 through 4.2.

8 5.2 The actions of the defendants James Lindquist, Raymond Lofink, Rajh Johal constitute a
9 violation of the civil rights of the plaintiff under 42 USC §1983.

10 **VI. CAUSE OF ACTION #4 - FALSE ARREST**

11 6.1 Plaintiff realleges paragraphs 1.1 through 5.2.

12 6.2 The actions of defendants King County, James Lindquist, Raymond Lofink constitute false
13 arrest.

14 **VII. CAUSE OF ACTION #5 - FALSE IMPRISONMENT**

15 7.1 Plaintiff realleges paragraphs 1.1 through 6.2.

16 7.2 The actions of defendants King County, James Lindquist, Raymond Lofink constitute false
17 imprisonment.

18 **VIII. CAUSE OF ACTION #6 - CONVERSION**

19 8.1 Plaintiff realleges paragraphs 1.1 through 7.2.

20 8.2 The actions of Defendants King County, Lindquist, Johal constitute conversion.

21 **XII. DAMAGES**

22 9.1 As a result of the unlawful actions of the above defendants, the plaintiff has been
23 damaged in an amount to be proven at trial.

24 **IX. PRAYER FOR RELIEF**

25 Wherefore plaintiff prays:

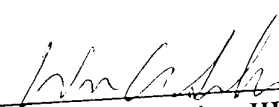
26 10.1 That the proof conforms to the pleadings at trial;

27 10.2 Plaintiff prays of judgment against each of the defendants separately in the amount of
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4 \$500,000.00 or 1% of their gross net worth, which ever is the lesser dollar amount for each
5 separate violation.

6 10.3 For judgment against defendants in amounts to be proven at trial, together with plaintiff's
7 taxable costs, and attorney's fees, interest and costs; and any other relief which the court deems to
8 be fair and equitable.

9 Dated this 13th day of August, 1997

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