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**IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH**

WALI KANANI,

 Plaintiff(s),

 v.

MICAH SIERRA “KATT” WILLIAMS,

 Defendant.

Case No.

COMPLAINT
(Assault, Battery, and Intentional Infliction of
Emotional Distress)

Prayer: \$76,000.00 – ORS 21.160(1)(c)

Claim NOT Subject to Mandatory Arbitration

Demand for Jury Trial

Plaintiff Wali Kanani alleges as follows:

1.

At all material times, Plaintiff Wali Kanani was and is a resident of the State of Oregon.

2.

At all material times on information and belief, Defendant was and is a resident of California and Georgia but in no event is a resident of Oregon.

FACTUAL BACKGROUND

3.

Mr. Kanani is a self-employed chauffer. He operates a 2017 GMC Yukon XL Denali. He was scheduled to pick Defendant up at a private airplane hangar at the Portland International Airport on the evening of October 5, 2018.

4.

Defendant was scheduled to arrive at approximately 10:00 PM. Defendant’s plane, however, was approximately one hour late.

1 5.

2 After his plane landed, Mr. Kanani approached the private jet in his motor vehicle to pick
3 up Defendant along with six other colleagues. Defendant also had a dog with him, a large,
4 aggressive German Sheppard.

5 6.

6 Mr. Kanani loaded Defendant's luggage in his vehicle and was ready to load the
7 passengers, when Defendant insisted that his German Sheppard ride in the front seat right next to
8 Mr. Kanani.

9 7.

10 Mr. Kanani explained that his car was only big enough for six passengers and that he was
11 not comfortable with an unknown (and possibly dangerous) dog in the front seat with him. He told
12 Defendant that his dog would have to ride in the backseat with the other passengers.

13 8.

14 Upon Mr. Kanani saying this, Defendant called Mr. Kanani a "piece of shit" and "white
15 trash" and then unexpectedly and without provocation struck Mr. Kanani directly in the face with
16 his fist.

17 9.

18 Mr. Kanani immediately retreated to the airport terminal for safety. While he was fleeing,
19 Defendant commanded his dog to start chasing Mr. Kanani, which both Defendant and his dog
20 did. Fortunately, Mr. Kanani made it to the safety of the airport terminal and locked the door before
21 Defendant and his dog could reach him. While Mr. Kanani stood behind the safety of the glass
22 door, Defendant stood on the other side giving him menacing and threatening glares for several
23 minutes before he left in another car that had arrived to take Defendant and his colleagues away.

24 10.

25 As soon as Defendant and his colleagues had left, Mr. Kanani called 911. He was checked
26 into the ER of the Legacy Meridian Park Medical Center in Tualatin, Oregon. Defendant's attack

1 broke one of Mr. Kanani's teeth and also caused a laceration in Mr. Kanani's face. The strike has
2 also resulted in tremendous swelling to Mr. Kanani's face along with tinnitus in his ear that has
3 yet to abate.

4 **FIRST CAUSE OF ACTION**

5 **(Assault)**

6 11.

7 Plaintiffs reallege and incorporate herein the allegations contained in paragraphs 1 through
8 10, above.

9 12.

10 Defendant attempted, both when he directly hit Mr. Kanani in the face and then when he
11 chased him with a German Sheppard, to cause harmful and offensive physical contact with Mr.
12 Kanani and clearly had the present ability to carry such intention into effect.

13 13.

14 Defendant's actions resulted in both physical harm and emotional distress to Mr. Kanani.

15 14.

16 Mr. Kanani is entitled to his damages resulting therefrom.

17 15.

18 Based on Defendant's unconscionable acts and his history of tortious behavior, Mr. Kanani
19 reserves his right, pursuant to ORS 31.725, to plead a claim for punitive damages against
20 Defendant.

21 **SECOND CAUSE OF ACTION**

22 **(Battery)**

23 16.

24 Plaintiffs reallege and incorporate herein the allegations contained in paragraphs 1 through
25 10, above.

26 ///

1 17.

2 Defendant both intended to and did cause harmful and offensive physical contact against
3 Mr. Kanani, when he directly hit Mr. Kanani in the face and then when he chased him with a
4 German Sheppard.

5 18.

6 Defendant's actions resulted in both physical harm and emotional distress to Mr. Kanani.

7 19.

8 Mr. Kanani is entitled to his damages resulting therefrom.

9 20.

10 Based on Defendant's unconscionable acts and his history of tortious behavior, Mr. Kanani
11 reserves his right, pursuant to ORS 31.725, to plead a claim for punitive damages against
12 Defendant.

13 **THIRD CAUSE OF ACTION**
14 **(Intentional Infliction of Emotional Distress)**

15 21.

16 Plaintiffs reallege and incorporate herein the allegations contained in paragraphs 1 through
17 10, above.

18 22.

19 When Defendant hit and then chased Mr. Kanani with his German Sheppard, Defendant
20 intended to inflict severe mental or emotional distress on Mr. Kanani, and such distress was certain
21 or substantially certain to result from Defendant's actions.

22 23.

23 Defendant's actions resulted in both physical harm and severe mental and emotional
24 distress to Mr. Kanani.

25 24.

1 Defendant's behavior was an extraordinary transgression of the bounds of socially tolerable
2 conduct and exceeded any reasonable limit of social toleration.

3 25.

4 Mr. Kanani is entitled to his damages resulting therefrom.

5 26.

6 Based on Defendant's unconscionable acts and his history of tortious behavior, Mr. Kanani
7 reserves his right, pursuant to ORS 31.725, to plead a claim for punitive damages against
8 Defendant.

9 27.

10 **PRAYER FOR RELIEF**

11 WHEREFORE, Plaintiff prays for relief from the Court as follows:

- 12 1. Assume jurisdiction in this matter over Plaintiff's claims;
- 13 2. Award Plaintiff judgment against Defendant for noneconomic damage in an
14 amount to be determined by the jury to be fair and reasonable, but not to exceed the sum of
15 \$76,000.00;
- 16 3. Award Plaintiff judgment against Defendant for economic damage in an amount
17 still to be determined;
- 18 4. Award Plaintiff his costs and disbursements incurred herein; and
- 19 5. Such other and further relief as the court deems just, equitable, necessary and
20 appropriate.

21 DATED this 8th day of October 2018.

22 **HARRIS BERNE CHRISTENSEN LLP**

23 By: s/ Adam S. Heder
24 Adam S. Heder, OSB #151144
25 adamh@hbclawyers.com
26 Of Attorneys for Plaintiff Wali Kanani

Trial Attorney:
Adam S. Heder, OSB #151144