

No. 93702-8

IN THE SUPREME COURT
OF THE STATE OF WASHINGTON

FENTAHUN AMARE,

Appellant

Vs.

MOHAMED MOHAMUD, et al. d/b/a WASHINGTON
ACCESSIBLE TRANSPORTATION, LLC., a Washington State
Corp.; MOHAMUD SHARAWA, d/b/a WASHINGTON
ACCESSIBLE TAXI ASSOCIATION, LLC, a Washington State
Corporation.

Respondents

**APPELLANT AMARE'S REPLY
TO RESPONDENTS' ANSWERS**

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WASHINGTON ACCESSIBLE
TAXI WAT, LLC.

Appellant,

Vs.

MOHAMED MOHAMUD, et al.
d.b.a. WASHINGTON
ACCESSIBLE
TRANSPORTATION, LLC.

AND

MOHAMUD SHARAWE, et. al,
d.b.a. WASHINGTON
ACCESSIBLE TAX
ASSOCIATION, LLC.

Respondents

CASE NUMBERS

SUPREME COURT
93702-8
COURT OF APPEALS
73515-2-1
SUPERIOR COURT
13-2-32479-2 SEA

THE HONORABLE
CHIEF JUSTICE
BARBARA A. MADSEN
AND THE
HONORABLE
ASSOCIATE JUSTICES

APPELLANT'S REPLY

I. INTRODUCTION

Dissolving Washington Accessible Taxi (WAT), LLC had no purpose other than to take over its successful businesses. The events afterwards had shown the mission of the Respondents. The controversies that surrounded the embezzlements of a corporation and the public fund by a group of individuals become complex only by the positions the judges of the lower courts took.

Van Dyk who declared that the problem that WAT had with L & I was resolved because the Agency could not sue a dissolved corporation. Per Van Dyk WAT owed L & I more than \$175,000. In addition, Respondents have run away with unknown amounts of assets of WAT.

However, there may be a potential legal problem facing Respondents. Respondents have continued making financial gains by reactivating WAT in 2010 after it was dissolved, and L & I had dropped the charges against it.

II. SIGNIFICANCE OF THE SC INTERVENTION

First, it is perhaps the most significant duty of the Supreme Court to supervise the practices of the Lower Courts' judges and ensure that justice is served in every case.

Second, no justice can be served by negligent, incompetent and in sever case by corrupted judges. When injustice is committed and an innocent citizen is harmed as is the case here, the entire judicial systems and people of the State suffer as much.

Third, the other controversy that is of paramount importance to the Supreme Court is the issue involving embezzlement of public fund, in this case involving the Department of L & I of the State of Washington.

Fourth, a group of new immigrants whose numbers is not small have embarked on unlawful and unethical practices that may

continue to no end unless the Supreme Court ends the toxic activities from polluting the pure social and justice systems.

Appellant and Respondents are first-generation immigrants. Each immigrant has incredible task to learn American social norms and legal systems that are essential to lead a clean life while pursuing happiness. Immigrants make mistakes and break the laws often unknowingly due to different cultural perspectives.

Such matters are corrected appropriately, and the new immigrants learn from their mistakes, and become good citizens. Appellant believes that this case reveals extraordinary toxic behaviors that have no place in American social and judicial systems. Respondents think that is ok and possible to get away breaking the rules and laws of the land. Respondents have tendencies to deceive and lie due to excessive greed and interest for quick financial gains. This group has been emboldened by Christopher Van Dyk who has created havocs to the corporation using his parasitic relationship.

Fifth, the two corporations could not qualify for contract with King County. They applied as if they were WAT, which potentially reopens the case with L & I.

The above issues are appropriate to invoke the power of the Supreme Court pursuant to RAP 13.4.

III. SUMMARY OF ARGUMENT

Respondents Amin Bouanani, Mohamed Mohamud, and Omar Hussein dissolved Washington Accessible Taxi, LLC (WAT) for the purposes of taking over a successful business. They created the two corporations, Washington Accessible Transportation, LLC, (Transportation) and Washington Accessible Taxis Associates, LLC (Associates) for this purpose. Respondent Mohamud Sharawe unlawfully bought the share that belonged to Appellant from Respondents Mohamud and Hussein. Respondent Hussein reinstated WAT, which they had dissolved earlier, and obtained contract from the County based on falsification and perjury.

IV. ARGUMENTS

The Trial Judge knew about the self-incriminating declarations of Mohamed Mohamud, Omar Hussein, Mohamud Sharawe, and Christopher Van Dyk. The matter concerning the Department of L & I was of paramount importance. However, the Trial Judge failed to protect the public interest and dismissed the case. The Judges of the Court of Appeals converged with the decision of the Lower Court.

Attorney Rockne wrote: “In its substantive discussion, the Appellate Court noted that four of the five assignments of error concerned claims against nonparties” (Answer, p. 3). The Attorney added, “Amare denominates certain persons as “respondents” when,

in fact, they are not parties to the litigation” (Answer p. 3). For that reason, the Attorney for Respondents did not feel he had to defend his clients against the charges per Appellant complaints.

Appellant is a layman. His briefs may not be without error due to the inherent lack of knowledge. Nevertheless, he believes that he made no harmful errors. However, Appellant believes that the Attorney for Respondents as well as the Judges of the Lower Courts made fatal errors interpreting and describing the legal components of the Corporations.

Appellant Amare, the founder and a shareholder of Washington Accessible Taxi, LLC (WAT) brought lawsuits against Mohamed Mohamud, Amin Bouanani, Omar Hussein, Mohamud Sharawe, each of whom were partners and shareholders of Washington Accessible Transportation, LLC, and Washington Accessible Taxis Associates. LLC. Christopher Van Dyk was an official Agent/Consultant, who answered the Summons and Complaints as Pro Se Defendant. Thus, suing the officers and the agent is suing the entire shareholders of the corporations. It is unfortunate that Appellant had to explain this basic legal framework to Attorney Rockne and to the Honorable Judges of the Lower Courts repeatedly in his briefs. Attorney Rockne’s defense all along during the case has been that, “Appellant sued the wrong corporations and the ‘nonparties’”. The Trial Judge agreed and

dismissed case. The Judges of the Court of Appeal affirmed going to great length to justify their decision only to make fatal judicial blunders.

There were/are three corporations, one legal, the other fraudulent: 1) WAT is the first corporation that provided wheelchair accessible taxi services to King County since 2006. 2) TRANSPORTATION and 3) ASSOCIATES were formed in 2010 both by the same group (shareholders) that included Respondents mentioned. Thus, Attorney Rockne was wrong when he stated that Appellant wrongly referred to nonparties as 'Respondents'.

Respondents created Transportation. When they failed to get contract because the corporation had no experience, they created Associates, which was bound to fail for the same reason. However, knowing that outcome, Respondent Hussein filed RFP claiming that the Corporation was WAT created in 2006. The Judges of the Court of Appeals tried to cover up stating that WAT was the common name of all companies. Nevertheless, they run into major legal problems: 1) Appellant was the founder and shareholder of WAT and had right to be on board, and 2) WAT was dissolved for which reason Van Dyk convinced L & I to cancel its debts because it was dissolved. Respondents obtained contract from the County albeit fraudulently. Appellant is seeking justice; the issue concerning L & I is also outstanding.

Respondent Hussein knew about the potential lawsuit excluding Appellant from the contract that he obtained from the County using WAT. Respondent Sharawe had bought a share from Transportation in which Appellant was excluded. Transportation did not materialize and he was about to lose his huge investments. Respondent Mohamud Sharawe was extremely unhappy. However, Respondent Hussein took a strong position and declared repeatedly that the share belonged to Appellant not Sharawe. Christopher Van Dyk supported the position and state that no person can replace another shareholder involuntarily unless a member has died and a replacement is needed. He was referring to the regulation. Respondent Hussein and Van Dyk later changed their statements after Sharawe retained Attorney Rockne. Attorney Rockne advised Respondents to change their declarations knowing that doing so represented fraud. He also knew about the L & I matter, and his roles if not his knowledge in the schemes of Respondents is unknown.

Attorney Rockne did not offer any defense to the charges against Transportation other than stating that, “he had sued the wrong corporation” (Answer para. 2). Attorney Rockne wants to prevail in the Supreme Court arguing the same thing that Appellant sued the wrong corporation and wrong person and arguing ‘Breach of Contract’ to divert the legal issues that gave rise to the lawsuit. Attorney Rockne quoted the Court of Appeals:

“Amare’s claims concern his partners and the founders of Washington Accessible Taxis LLC. Sharawe and Washington Accessible Transportation are not the appropriate parties” (Id p. 4)

In the preceding pages, Appellant has clearly shown how the corporations were formed, and for what purposes.

V. CONCLUSION

Appellant joined resources and energy with individuals believing that regardless of the differences of personal backgrounds and views, the group would work together for the common good. He believed his partners would do business the American way, which each immigrant ought to learn and practice. Appellant invested his energy and resources more than any of the other shareholders understanding what it takes to be successful.

Appellant depended on his business and it was the only source of his livelihood and income, and he worked hard to ensure the growth of the company. Appellant was thrilled when the corporation completed the Pilot Project of the County with flying colors, which meant being in good position for the next major contract.

Not all individuals think likewise. Their backgrounds and different cultures make joint ventures harder and even undesirable. Respondents decided that they should make the company owned by same fellow countrymen. The results of that anti-American culture,

greed, and desire for quick financial gains have been clearly exhibited in this lawsuit.

No one is above the law, and no controversy is too big for the Supreme Court. Appellant strongly believes that he would attain justice in this Court that the Judges of the Lower Courts denied him.

Appellant has suffered enormously. He and his family have gone through a long horrific time, and his survival is nothing short of miracle. Appellant has led a clean life. He believes that his obedience and respect to the laws has made him a victim of those who have tendencies to break them, and who considered him an outsider not trust worthy. That was true because Appellant had often challenged the aggressive individuals who simply seek quick financial gains or the easy way rather than the right and proper ways.

The financial losses Appellant suffered during the last many years, the hardship, and the incidents directly or indirectly tied to this case are immeasurable. Appellant has described the significances of this case why the Supreme Court should review. If the matters described do not invoke the authority and power of the Court, it would mean the lives of Appellant and his families are insignificant. Appellant does not believe that there would be more important than the duty of the Supreme Court Justices supervising the judicial conducts of Judges and ensuring justice is served at all levels. This case calls for one such action.

Appellant prays for an award that would compensate him for loss of his income, and punitive damages to send the message clear and loud. Appellant prays for an award in the amount of \$750,000 or as the Court finds it fair and equitable.

Respectfully submitted,

Dated: December 22, 2016

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