

74563-8

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CASE NO.74563-8

**THE COURT OF APPEALS  
OF THE  
STATE OF WASHINGTON**

**ORIGINAL**

LYDIA LUTAAYA

Appellant

Vs

BOEING EMPLOYEES' CREDIT UNION

Respondent.

.....  
APPEAL FROM KING COUNTY SUPERIOR COURT  
Commissioner Nancy Bradburn-Johnson  
.....

APPELLANT'S OPENING BRIEF

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STATE OF WASHINGTON  
COURT OF APPEALS

APPELLANT'S OPENING BRIEF

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## NATURE OF CASE

This case is a mortgage scam which involves Boeing Employees' Credit Union (BECU), a mortgage lender, who violated my rights as a member of BECU, violated the state consumer protection laws, breach of contract violating the purpose of the duty of good faith and fair dealing and fraudulent misrepresentation. BECU added Renton Police on my mortgage account and deliberately refused to take Renton Police Department off my mortgage despite my pleadings for the last 3 years. Boeing deliberately deleted payments from my mortgage transaction history to make it look like I missed those payments in an effort to cause a foreclosure. Boeing also added Renton Police Department on my car account. Boeing collaborated with the Renton Police Department to solicit for millions of dollars from companies saying I am the Face of Boeing without my consent. Boeing then nicknamed my account the Face of Boeing and the BECU employees were instructed to document on my account what they thought of me

each time I went to a BECU banking facility. In an effort to hide all the evidence on the account, Boeing just deleted the entire mortgage account which consisted of 10 years of account history from the system and the car account history. As of today, BECU does not have my mortgage or car information nor does CENLAR. Due to my persistence to get BECU to correct my mortgage, I was banned from any BECU facilities, online banking was disabled and so was the printing privileges. BECU submitted fake recreated mortgage and car account information, recreated account information printed on plain pieces of papers in response to the subpoena. Documents were not presented in their original format. See CR 45 3(d) (1). The Superior Court still granted the order to repossess my home, the order of Writ of Restitution to BECU and my being evicted from the home despite the fact that the documents were fake. I challenged BECU to prove my claims against them are wrong by granting me access to my accounts to verify the documents BECU submitted were legitimate but BECU continued to deny

me access to my accounts. BECU refused to verify the fake documents despite my pleadings. I bought my home, as a single woman to be used as my primary residence for \$275,000 on October 2006 and BECU financed the home. For the entire 10 years I have owned my home, I never missed a mortgage or car payment not even once until BECU deliberately collaborated with the Renton Police Department for reasons well known to them in an effort to force me to default on the mortgage thus deliberately affecting my income. I sued BECU for violating my mortgage contract and therefore breach of contract but BECU refused to settle with me but instead chose to evict me from the home instead. As a frustrated homeowner, I appealed to the Court of Appeals.

## ASSIGNMENT OF ERROR

The superior Court erred in granting BECU, the defendant, the repossession and Writ of Restitution of my home because as a bank, BECU breached the mortgage and car contract by adding Renton Police Department on my mortgage and car account and deliberately deleting payments I made several years ago, denying me access to my online banking and disabling printing and then eventually deleting the entire mortgage in order to hide the evidence. Even though BECU was the one financing the home, BECU had no authority in adding Renton Police Department on my mortgage yet BECU refused to add my mother on my accounts. BECU breached the duty of good faith and fair dealing. BECU's conduct frustrated me, the plaintiff's contractual expectations which included BECU's unreasonableness and recklessness. Conduct exceeded my justifiable expectations because BECU's behavior was arbitrary, capricious and unreasonable. See *Bottrell V American Bank*, 773 p2d 694 (Mont 1989). The Superior Court also

erred in granting BECU the Writ of Restitution of my home yet BECU deliberately deleted several payments I made several years ago to make it look like I missed those payments.

Actually, BECU refused and also failed to open my online banking in the courtroom during one of the court hearing at the Superior Court in Kent despite my pleadings to BECU to prove that actually BECU has my entire mortgage transaction history for the last 10 years plus my car account information and also to let the court verify that the documents submitted as a result of the subpoena had actually been printed off my accounts. I pleaded with the Court to let BECU open my online accounts in the courtroom and on record to verify that the documents BECU submitted were legitimate and to prove me wrong that BECU has my account information which BECU failed to do but still the judges and Commissioner Nancy Bradburn Johnson sided with BECU. A bank has to keep track of the entire transaction of the mortgage for life. Even though the home was repossessed, the account information should still stay intact.

## STATEMENT OF CASE

In December 2013, I went to the Renton Police Department to report an identity theft concern involving one of my credit cards and spoke with Officer Chris Nielsen who got so offended. The very next day, a video footage of me as I stood at the reception of the Renton Police Department was posted as a “Wanted Person” on the Renton Police website. I was not a “Wanted Person”. People all over the country who saw my picture called Renton Police Department to ask them what I had done wrong. Renton Police Department had no answer. These complete strangers started asking for my contact. Renton Police then collaborated with BECU and stole my identity and started soliciting for money from companies claiming that I am the Face of Boeing and that these companies should pay \$10,000 each to meet me and another additional \$10,000 each to fix a scar on my face. In 2014, Renton Police Department falsified documents claiming to have paid me \$2 million and reported the amount to the Internal Revenue Services. Also, Renton

Police Department reported Lydia Lutaaya, as the source of income for the Renton Police Department for millions of dollars to Internal Revenue Services. Renton Police Department has never paid me any money. Renton Police Department together with BECU's President, Mr. Benson Porter, started organizing a conference for these companies to meet me. To this day, the so called conference has been postponed lying to the companies that Lydia is sick, or that Lydia is out of the country. Renton Police Department continued to use my identity without ever talking to me to get my consent. The very first conference that had been scheduled to take place at the Superior Court in Seattle about January 11, 2014 was cancelled with the excuse that the guest of honor was low class. The companies insisted that they were still interested in meeting the low class guest of honor. So another conference was rescheduled but was again rescheduled. It has been 2 ½ years now. A week after I reported the identity theft concern to Officer Chris Nielsen, Officer Nielsen went to the BECU – The Landing in Renton and asked

an employee to add Renton Police Department on to my mortgage. Shortly after that, Renton Police Department started reporting falsely on my criminal record crimes I have never committed before in my life with the intention of “destroying this girl so that she never gets employed again” as was said by Officer Chris Nielsen. Officer Chris Nielsen also said “to get me arrested in order to default on the mortgage so BECU could repossess my home just to teach me a lesson that no one goes to Renton Police Department to report identity theft.” All the crimes reported were presumably committed in Renton and reported so soon to where all the records departments everywhere were flagged as though being flagged to a high profile criminal. In January 2014, I reported the mortgage scam to several BECU branch Managers and directly to Mr. Benson Porter’s office, the President of BECU but all refused to take Renton Police Department off my mortgage. BECU instead nicknamed my account Face of Boeing. I was told by some of BECU employees that Mr. Benson Porter approved the

mortgage scam for a huge tax write-off from the Renton Police Department and that is why the Lead Managers had no authority to take Renton Police Department off my mortgage. Since then, I have spent close to 3 years fighting BECU by going from one BECU branch to another but all in vain. It was as if the entire BECU plus their business partner, CENLAR, who are the loan administrators were all in on the mortgage scam of my home and were following instructions documented on my accounts by Renton Police Department for example Renton added a Seattle address on to my mortgage and had instructed BECU to forward all my mail to that address claiming that when Renton Police Department googled for my relatives, that address popped up as the last known address where my relatives lived. In fact, Officer Chris Nielsen went to that address and interviewed the occupants questioning them if they were related to me. When I explained to BECU that they should not forward my mail to that address and that BECU should not let anyone change my contact information, BECU

claimed that according to the notes, BECU has been instructed to not take that address off my mortgage. More instructions documented in the internal notes by some BECU employees asking Renton Police to “hack my bank account and pull out the money so that I do have money to pay for the mortgage for that money. And as a frustrated homeowner, in my determination to get answers, I was banned from any BECU facility in a letter written and signed by Mr. Anthony Harris, the attorney for BECU lying that I was hostile to the BECU employees. If I was hostile to the employees, how come I was not arrested? In fact I was advised to access my accounts online or by phone only. Online access was disabled shortly after that. Winter of 2014, Officer Chris Nielsen showed up in the early evening with a gun driving his personal cream car with tinted windows with the intention of killing me in front of my driveway so BECU could repossess my home and also the companies who had paid into the conference Renton Police was organizing to meet the Face of Boeing never gets to know the details of the case.

I called 911 to report that incident. Shortly after that incident, my family's approved immigration applications were messed up by Officer Chris Nielsen who bragged about having destroyed my family and prevented them from ever relocating to the United States to inherit my assets so I can remain in this country "with no relatives because then when the Renton Police kills me, the police will be the ones to take over my assets." Also, Officer Nielsen started contacting an African man who works at Costco in Tukwila to plot the murder of my entire family in Uganda. An informant told me that Renton Police Department had even forged a Will and named themselves as beneficiaries of all my assets then since explaining why Renton Police added themselves on my mortgage, car accounts and all other accounts under my name. Renton Police did an investigation about all my assets and added themselves on all my accounts including my Homeowners Association with Suhrco Residential Properties. January 2014, an Asian employee at the BECU branch on Bellevue Way in Bellevue

was the first BECU employee to delete the first payment from my mortgage transaction history right in front of me as I reported to her that Renton Police Department was on my mortgage account and that she should report it somewhere. Several payments were deleted after that with the intention of causing a foreclosure as instructed by Renton Police department even though my mortgage was current at the time and I had never missed a mortgage payment not even once in the entire 10 years I owned my home. Each BECU employee who messed up my mortgage would get paid \$1000 by the Renton Police Department. Mr. Mitch Mandela, an employee with BECU in Tukwila personally added Renton PD on my car account right as I was talking to him on the intercom from the reception since one of the Lead Managers had referred me to him assuring me that he would be the perfect person to take Renton PD off my mortgage and to stop BECU employees from messing up my mortgage. According to an informant and also evidence from my credit report, Mr. Mitch Mandela pulled my credit report

and yet I had not applied for any credit with BECU. Mr. Mandela realized that I had never missed a single payment which would have caused a foreclosure. Mr. Mandela went further to call the credit bureaus and asked an employee if he could forge 3 missed payments on my credit report. The 3 payments BECU needed to foreclose on my home. The credit bureaus refused to forge missed payments. When I sued BECU for breach of contract, I requested BECU to write-off my mortgage and get it out of BECU so the staff could stop messing it up but BECU refused. Mr. Benson Porter, the president of BECU, the very person who was supposed to stop and report this mortgage scam actually just participated in it and approved it and that is why the staff were also refusing to take Renton PD off my mortgage and car accounts. I even reported the mortgage scam to Linda, the director of the Division of Credit Unions who, in a letter written on a government document lied that the Division of Credit Union had investigated my mortgage and found no discrepancies and

yet at that time, all the evidence was very clear on my account of how BECU had messed up my mortgage and car accounts. I then tried to request a loan modification but Renton PD still interfered with Urban League, the housing counselor and requested Urban League to not help me with the loan modification so BECU could repossess the home. According to the internal notes on my account, Renton PD then started requesting BECU employees to pull video footages of me each time I went to a BECU branch and email those video footages to the Renton PD who would then format them in form of an email and emailed them to my employers, church, friends, neighbors, pretty much to everybody in my email address which Renton PD had already hacked and took over by changing the password. Sometimes Renton PD sent out emails using my email address pretending it was me sending out these emails. In these emails, Renton PD claimed I was prostituting myself and therefore nobody should hire me. This intentional defamation was to force me into unemployment in order to

default on my mortgage. In 2010, I made \$87,000 to 2013, I have been earning income within that range but in 2014, I made only \$6000 and 2015, I made \$6900. A very drastic drop in income which was a very good sign that the police harassment had taken its toll on my life. Renton PD interference has forced me to be so distracted because Renton PD was and is always chasing me down where I work and messing it up with the intention to force me to remain unemployed. At one caregiving company, Renton PD came up with the plan to kill me and the entire family where I worked then make it look like a robbery gone wrong so that BECU could end up repossessing my home and give it to the Renton PD. Renton PD also bribed a co-worker to start messing up my shift with the client just to get me in trouble with the department of health just so I could remain unemployed or be arrested just so I could lose that home. I reported all these threats to the department of Health who also did nothing. Renton PD kept asking all my utility companies to disconnect my services because I was late on a

payment claiming “to force me out of that home because Renton PD is the one going to take over that home.” And now I was evicted from the home, and looks like all the people who thought it was easy to cheat my home because I am a single girl have all distanced themselves from the home because they have started releasing that the true about that mortgage will eventually be revealed and it will come back to haunt them because I have made a lot of noise about my home. Renton PD even threatened to burn my home if they are not successfully in evicting me and then turn around and do an investigation and claim that it was a problem within the development since another neighbor’s house caught fire in winter of 2014. Mid 2015, Renton PD stole my used tennis shoes from my front door when the Renton PD came to look at the house next door that was for sale. The intention was to murder the next door neighbor whom the police had bribed to file a harassment case against me then set up my shoes at the murder scene and claim I was the one who had killed that neighbor. I had never

missed a mortgage or car payment or any other kind of payment for the entire 18 years I have lived in the United States until Renton PD interfered with my life in December 2013 because I reported a credit card theft threat involving one of my credit cards and according to Officer Chris Nielsen, “I was to act as an example to the general public that you do not go the police to report identity theft.” I pulled my credit report right as the Renton PD had just started messing up my life because I reported identity theft of my credit card which according to the Renton PD is a crime and is punishable by messing up someone’s life including my entire family. I am one single person being fought by an entire police department of over 300 officers who are following police harassment instructions and orders from Officer Chris Nielsen, the officer who got so offended when I reported the identity theft concern involving one of my credit cards. The entire Renton Police Department collaborated fighting me while the police chief looked on. At the beginning of it all, my phone was being tapped by Renton

PD and my calls broadcast live on the Renton PD office speakers for the entire office to listen in. All this happening while the City of Renton's Mayor and the Police chief's office are all listening into my calls from their respective office that are right there at the Renton PD building and did nothing to stop the police harassment even when I reported the harassment to the Mayor's office directly through his personal assistant and the police chief's office. Renton PD was also fighting me using my assets with Boeing, friends, neighbors who were instructed to set me up then call 911 so the police could show up and arrest me. Renton PD of about 300 officers, BECU of about 1500 employees located in different bank branches both locally or nationally, then the court judges, courtroom employees, immigration, my utility companies were all being used by Renton PD to fight me and harass me, one single woman for no reason than other that I reported the identity theft concern of one of my credit cards. It felt like I was being fought by an entire country and this is now a police harassment case between

2 countries because my family members are Ugandan citizens and still live in Uganda. In June 2015, BECU repossessed my car. The sheriffs that came to retrieve my car put me on gun point at a time when I was not a threat to any of the officers. The same officers were more concerned that no neighbor were video tapping the entire ordeal. In September 2015, BECU repossessed my home just like they repossessed my car after BECU added Renton PD on my accounts. In 2015, I filed a law suit against BECU. I challenged BECU to subpoena my entire mortgage information for the past 10 years, the time I have owned my home. I also subpoenaed for my car account and checking account information. BECU failed to submit the correct documents and all the required documents but instead submitted fake recreated mortgage and car information and fake recreated internal notes full of lies printed on plain pieces of papers and not on BECU company letters or at least with the BECU log and website at the bottom of each page to show the information's ethnicity like the documents BECU had sent

before this whole mortgage scam started. The documents I used to receive were very professional and very thorough and not printed on plain pieces of papers. BECU failed to submit the documents pertaining to the entire mortgage from October 26, 2006 to present. Even though the car and mortgage were repossessed, all that information should still be accessible on the account. During the repossession of my car, Judge Julie Spector at the King County Superior Court in Seattle, recreated the court hearing after claiming that I missed a court hearing and lied that Binh Nguyen, the attorney for BECU, was in the courtroom and that that court hearing was not recorded and yet Ms. Nguyen was not in that courtroom but instead BECU was represented by a Sheriff which I could not understand how a Sheriff could represent BECU in the court of law. Then Judge Julie Spector lied that I missed the court hearing yet Judge Spector held the hearing 10 minutes before the scheduled hearing time of 10.00am just as I had just left the front door of the courtroom to use the restroom. I could not understand the

business partnership that BECU has with the Renton PD. Renton PD seem to run BECU's business by following instructions from Renton PD of what to mess up about a member's account with BECU. In mid-2014, I sued BECU for misrepresentation for using my FACE as the FACE OF BOEING to solicit for millions of dollars from companies saying this girl is a celebrity and that the companies could each pay \$10,000 to meet me and another \$10,000 each to fix the scar on my face. I also sued BECU for defamation of character because BECU claimed I was crazy and that I had mental issues each time I tried to report the mortgage scam to different authorities and for violation of my banking rights regarding being denied access to online banking and to the physical BECU banking centers. In a sworn testimony, I answered all BECU interrogatories questions which were requested Newman DU Wors law firm, the attorney for BECU. In all these interrogatories, I was asked to name the people who said that I was crazy or had mental issues, or whom I know contributed to

the messing up of my car and mortgage and I named all the people who messed up my accounts and hand delivered a copy to Mr. Keith Scully with Newman Du Wors LLP, the lawyer for BECU and filed a copy with the Superior Court in Snoqualmie where Mr. Keith Scully had requested to have the documents filed. Later, it turned out that it was the wrong court and was advised to file all the documents with the Superior Court in Kent where the case was pending which I did. After a couple of days, all the documents I had filed regarding my sworn-in testimony with all the correct names of people who messed up my mortgage and car accounts were deleted from the docket. Those documents just disappeared because according to the courtroom employees, the information I submitted was “very damaging to BECU.” So, if BECU was so concerned about its image, why does it mess up people’s life investments? And why that is when you file documents with the court, the documents are either not filed or filed then deleted from the docket because the information you filed was damaging either to the judge or to

BECU. When I sued BECU, the mortgage was pulled out of the law suit claiming that the home was a different case on its own and that is why I appealed to the Court of Appeals. I requested BECU to openly verify the submitted documents in response to the subpoena by granting me access to my online banking or display the entire online banking account during one of the court hearing we had scheduled with Judge LeRoy McCullough at the Superior Court in Kent but BECU refused. I also asked BECU during the same court hearing to grant me access to any BECU banking center to review my accounts in person since I was banned from going to any BECU facility but Mr. Anthony Harris, one of the lawyers from BECU in the courtroom that day refused. In 2015, I received a letter from Mr. Anthony Harris, another attorney for BECU informing me that I was banned from any BECU facilities claiming that I was hostile to the employees which was a complete lie. In 2016 during one of the court hearings at the King County Superior Court in Kent, Mr. Anthony Harris told his colleagues as I listened in to their

conversation that if I ever go to any BECU facilities, I will be arrested. My banking rights continued to be violated by denying me access to my online banking. If BECU claims to have submitted the correct documents of my entire car and mortgage accounts in response to the subpoena, why is BECU declining my requests to go to any BECU banking center to verify my those documents or displaying my online accounts in the courtroom and lets verify the mortgage and car information on record? All those documents should be very clear on my account like in a clear glass the moment you open the account. More so, I am accusing BECU of having added Renton PD on my car and mortgage accounts and deleted my car and mortgage payment information. Why doesn't BECU prove me wrong by releasing my online banking information during one of the court hearings like I have requested before? During the January 5, 2015 court hearing where Commissioner Nancy Bradburn Johnson awarded BECU the possession of my home, Binh Nguyen, another attorney for BECU did not even bother

to argue the case except an opening statement to introduce herself and that was it. Ms. Nguyen was dead silent after that even as I argued the case and pleaded the case as if I was on death row. Ms. Nguyen was dead silent. Evidence to this is the verbatim report that I filed at the Court of Appeals from that court hearing at the Ex Parte. Commissioner Nancy Bradburn Johnson actually was the one who kept arguing the case on behalf of BECU while Ms. Nguyen, the BECU attorney who was supposed to argue the case with me was dead silent. And why was Commissioner Nancy Bradburn Johnson arguing the case on behalf of BECU when Ms. Nguyen was dead silent? I submitted a copy of the verbatim report so the Court of Appeals could hear for themselves how BECU was dead silent. SO, how does BECU end up being awarded the Writ of Restitution of my home when BECU lawyer was dead silent? And on top of all that, the documents that BECU submitted in response to the subpoena were fake, recreated and on plain pieces of papers. Commissioner Nancy Johnson did not even bother to review the

documents and even asked me not to file those documents saying that “it won’t be necessary.” Legal cases are based on material facts and the facts were right there on the documents I was trying to represent as evidence that BECU submitted recreated mortgage account information on plain pieces of papers but Commissioner Nancy did not even bother to review the evidence I was submitting. I filed for bankruptcy on February 5, 2016 to try and work something out with BECU despite having asked BECU to settle with me but BECU refused and found an easy way out by just repossessing the home and evicting me. I desperately wanted to save my home. I do not believe in the court system anymore because I am the victim here who is an innocent girl being deliberately mistreated and cheated both of my life and my home both by Renton PD and BECU and the court system is just helping BECU and the Renton PD cheat me and continue to mistreat me? Why do we have a court system if the legal cases are not judged honestly because even the bankruptcy was denied even

when the Bankruptcy Trustee, Mr. Michael Fitzgerald had agreed to take on my home? My income was enough to be able to make the monthly plan payments under the bankruptcy plan. I even submitted the first payment that was due. On January 5, 2016, I went to the Superior Court in Kent to respond to BECU's Motion for unlawful detainer and Order to Show Cause. Commissioner Nancy Bradburn Johnson granted the Order Awarding BECU possession of my home and ordered the Court Clerk to issue a Writ of restitution of my home to BECU. I strongly believe this was done in error based on the above declaration and therefore I am appealing to the Court of Appeals to overturn the order and also to order BECU to write-off my mortgage and get the home out of BECU so BECU staff do not mess up my mortgage again. Early 2016, Judge Christopher Alston with the U.S. Bankruptcy Court granted an order allowing BECU to evict me from my home. I appealed the order with the Bankruptcy Appellant Panel and that case is still pending. Judge Alston advised me to get a lawyer which I

declined informing Judge Alston that I chose to be Pro SE because when the police harassment started in 2013, I looked everywhere for a lawyer but all the lawyers rejected my case claiming that they do not take on police harassment cases. I contacted several Civil Rights Organizations who also rejected the case claiming they do not do police harassment cases either. At other times, some lawyers were being asked by Renton PD not to take on my case. I was so surprised when Judge Alston got so upset when I informed him that I chose to be Pro SE. Judge Alston insisted that I will never win this case because BECU was not willing to accept any payment arrangements from me. Judge Alston demanded that I leave his chambers. I was escorted out of the courtroom and the entire building all the way to the outside of the building by one of the court security guards. I was denied entry into the building that entire day. I really wanted to use the restrooms so bad and I even had documents due to be filed the very next day which I had planned to file after the court hearing but all that never

happened. Too much force being used on me for just choosing to be Pro SE? Judge Alston actually became BECU's spokesperson with BECU not even bothering to show up for most of the long scheduled court hearings. I could not understand why Judge Alston did not grant my motions since BECU was a No Show on several occasions but instead Judge Alston chose to speak on BECU's behalf which I thought was not only a conflict of interest but also against the law for a judge to do. A judge should be neutral and not represent any particular party in the courtroom. Judge Alston needed to stop being BECU's spokesperson and be a judge. What is Judge Alston going to do next, do a BECU commercial? Judge Alston seemed to have been pretty much set up regarding siding with BECU. So, when Judge Alston granted the order granting BECU's Motion for Relief from the automatic stay, I was very surprised. BECU was supposed to settle with me but instead I was evicted from my home instead because that is what BECU wanted but the case was not judged based on the material facts

surrounding the case. At first I refused to evict from the home because I felt the judges were not fair in letting BECU get the Writ of Restitution of my home and yet BECU was the one that violated my mortgage contract by adding Renton PD on the mortgage and car accounts and deleting payments I made several years ago to make it look like I missed those payments and then eventually deleting the entire mortgage and car accounts. Judge Alston informed me during one of the court hearings that the law protected BECU in terms of evicting me but how come the law did not protect me when BECU violated the contract and breached the contract by adding Renton PD on my mortgage and car accounts and deliberately deleting payments I made several years ago from my mortgage transaction history in order to cause a repossession of my home even when my mortgage payments were current? Generally, breach of the duty of good faith entitles the plaintiff to contractual damages. See *Foley V Interactive Data Corp*, 47 Cal 654, 254 Cal Rprt 211, 765 p2d. On June 25 2016, I got home

and BECU had taken over my home and changed the locks while some of my personal belongings were still inside the house. BECU did not follow the proper procedure when they took over the home. BECU did not put my personal belongings outside the house or took my personal belongings to a storage unit but instead took over the house including my personal belongings. Why? When a bank evicts a homeowner, the bank does not take over the house including my personal belongings. When I made arrangements with BECU's contractor to let me back inside the house to retrieve the rest of my personal belongings that were still left inside the house, the contractor started taking pictures of me inside my home while I retrieved my belongings. This was a violation of the eviction procedure. Why didn't BECU wait to take pictures of my home until the home was completely vacated and I was not inside? BECU was just celebrating a victory that they had succeeded in cheating my home because that is what Renton PD wanted according to BECU employees. At the end of it all, justice will prevail. I

won't elaborate on this at this very moment but all I can say is that BECU made a big mistake in collaborating with the Renton PD to cheat my home, deliberately affecting my income so I could default on the mortgage and evicting me from my home. And this this going to cost BECU its mortgage business. Time will tell. My pleading is for BECU to display my entire online car and mortgage accounts to the Court of Appeal during the court hearings.

## CONCLUSION

The Writ of Restitution awarding BECU to take my home should be reversed because BECU started deliberately trying to repossess my home by deliberately deleting payments from my mortgage transaction history, payments I made several years ago in an effort to cause a foreclosure even though my mortgage payments were current. Boeing did not end there. Officer Chris Nielsen of the Renton PD went to the BECU Renton Landing branch and asked a BECU employee to add Renton PD on my mortgage and the employee agreed even without my consent. Even when I reported such a breach of contract and violation of my consumer rights to several BECU branch Managers and to Mr. Benson Porter's office, the president of BECU, nothing was done. In fact, most BECU employees whom I kept requesting and persisting that BECU take Renton PD off my mortgage informed me that "Mr. Porter asked us not to take Renton PD off this mortgage." This is not what I accepted of BECU even though BECU was the one

financing the home. Also, why was BECU soliciting for millions of dollars from several companies using my FACE without my consent? BECU collaborated with Renton PD and stole my identity after Renton PD posted my picture as a “Wanted Person” and then using it after the picture drew a lot of attention from the public. Instead of BECU settling with me, BECU thinks they can take my home? Eventually the truth is going to come out no matter what. This truth needs to finally be addressed in the court of law and let the law protect me from such mortgage scammers like BECU. BECU cannot violate my mortgage and banking rights by adding Renton PD on my mortgage and car accounts, deliberately deleted payment I made several years ago in an effort to force a foreclosure, deliberately affected my income just to force me to default on my mortgage, nicknamed my account FACE OF BOEING, documenting into the account each time I went to a Boeing branch, denying me access to my online banking, banning me from any BECU facility and then eventually deleting the entire

mortgage and car accounts and still award the repossession of my car and the Writ of Restitution of my home to BECU. The law of the land is the law and that is why we have a court system in the first place. Now, let us put the Court of Appeal to a test and see if the Court of Appeals really appeals these cases or the Court of Appeals is as messed up as the Superior Court itself. BECU should have settled with me right from the beginning rather than just deliberately affect my income to force me to default and then repossess my assets. I am requesting the Court of Appeals to reverse the Writ of Restitution of my home from BECU and then an order awarding me back my home be granted. I believe in miracles! I sure do.

## ARGUMENT

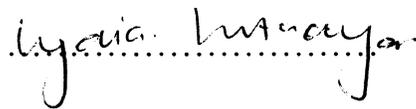
How can the Superior Court grant the repossession of my home and my car to BECU and award BECU the Writ of Restitution, the very bank that deliberately added Renton PD on my mortgage and car account without my consent, deliberately deleted payments from my mortgage transaction history to try and force my home into foreclosure even though I had never missed a mortgage payment? The same bank that acted unreasonably and recklessly. Mr. Mitch Mandela, one of the Managers at the BECU Tukwila branch personally added Renton PD on my car account as I talked to him on the intercom from the main reception then deleted the entire mortgage and car accounts to hide the evidence. BECU failed to present my mortgage and car transaction history for the past 10 years but just a few years of transaction history were submitted in response to the subpoena and all documents were full of lies and recreated. BECU failed to present my online banking either to me personally or even during any of the court hearings

despite my pleadings to BECU to let the court review my online banking so that we can really confirm that BECU has the entire mortgage and car account from the dates I purchased my home and car. BECU failed to grant me online access despite the request from Judge Leroy McCullough of the Superior Court in Kent during the last court hearing. Why is BECU continuing to deny me access to any BECU branch review my accounts? I am accusing BECU of having deleted my entire mortgage and car accounts, why doesn't BECU prove me wrong by granting me access to my online banking? The Superior Court erred by granting the repossession and Writ of Restitution of my home due to the arguments above. The pain, the sleepless nights, the tears I shed every day because BECU was deliberately damaging my mortgage and car accounts, the emotional stress, the disorganization of my life and my family that has been caused by BECU is unexplainable and this has taken an emotional toll on my life. Having had to be evicted from my home despite what BECU did to my home and having to move

pretty much to nowhere on a very short notice, being referred to as having mental issues each time I reported the mortgage scam, the damage all this has caused to my mental capacity will live with me for the rest of my life. Generally, BECU violated my banking rights and this was a very big breach of contract and that is why I sued BECU. “In an action for breach of the duty of good faith, the plaintiff may be entitled to recover the benefits of bargain as well as consequential damages.

Additionally, the plaintiff may recover punitive damages”

Westlaw. See Commercial Cotton Co V United California Bank, 163, Cal App 3d 511, 209 Cal Rprt 551 (1985), Cottrell V American bank 773 p2d 694 (Mont 1989).

Submitted by: Lydia Lutaaya 

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Renton, WA 98058

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## DECLARATION OF SERVICE

I declare under penalty of perjury for the laws of the State of Washington that on August 15<sup>th</sup> 2016, I mailed a true copy of the corrected version of Appellant's Opening Brief to the following parties who are attorneys for BECU with the correct postage:

1. Binh Nguyen and Ryan KO

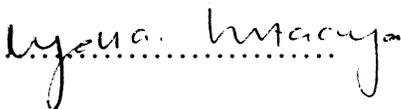
Boeing Employees' Credit Union

P.O.Box 97050 Seattle, WA 98124

2. Newman Du Wors

Boeing Employees' Credit Union

2101 Fourth Avenue #1500 Seattle, WA 98121

Declared by: Lydia Lutaaya 

3001 SE 10<sup>th</sup> St Renton, WA 98058

TEL: 206-321-1057

DECLARATION THAT ABOVE STATEMENT IS TRUE

I declare under oath that all the above statements are true to the best of my knowledge and swear under oath that all the statements therein whether quotations are all true and that is exactly what Renton Police Department, BECU and every company or individual mentioned in this statement did to me, destroying my entire life to where I have nothing left.

Declared by:

Lydia Lutaaya; Lydia Lutaaya

3001 se 10<sup>TH</sup> St #1013 Renton, WA 98058

State of Washington County of KING

I certify that I know or have satisfactory evidence that Lydia Lutaaya is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument and acknowledged it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 8/15/16

(Signature) [Signature]

(Seal or Stamp)

Title Notary Public My appointment expires \_\_\_\_\_

