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KING COUNTY
SUPERIOR COURT CLERK
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CASE NUMBER: 18-2-02092-1 SEA

IN THE SUPERIOR COURT OF WASHINGTON
IN AND FOR THE COUNTY OF KING

DETRAY'S CUSTOM
HOUSING, LLC, a Washington limited
liability company; DANA DETRAY, an
individual; and DIANE DETRAY, an
individual,

Plaintiffs,

v.

YVES JULIAN CAUVIN, an
individual,

Defendant.

Case No.

**COMPLAINT FOR INJUNCTIVE
RELIEF**

1 Plaintiffs DeTray's Custom Housing, Dana M. DeTray and Diane DeTray
2 bring this complaint against Defendant Yves Julian Cauvin upon personal
3 information as to Plaintiffs' own activities and upon information and belief as to the
4 activities of others, as follows:

5 NATURE OF THE ACTION

6 1. This is an action for breach of contract, defamation, and other torts by
7 Plaintiffs Dana M. DeTray and his wife Diane DeTray against Defendant Yves
8 Julian Cauvin. Cauvin is a former employee who took the DeTrays' trade secrets
9 and set up a competing business, then launched a campaign of falsehoods designed
10 to discredit and shame the DeTrays, including false claims that Dana DeTray is a
11 pedophile and an abuser.

12 PARTIES

13 2. Plaintiff Dana M. DeTray ("Dana") is an individual residing in the state
14 of Washington and an owner of DeTray's Custom Housing, LLC and is in a marital
15 community with Diane DeTray.

16 3. Plaintiff Diane DeTray ("Diane", and together with Dana, the
17 "DeTrays") is an individual residing in the state of Washington and an owner of
18 DeTray's Custom Housing, LLC and is in a marital community with Dana M.
19 DeTray.

20 4. Plaintiff DeTray's Custom Housing is a Washington limited liability
21 company with all Members residing in Pierce County, Washington.

22 5. Defendant Yves Julian Cauvin, a.k.a. Jay Cauvin, is an individual residing
23 in the state of Washington and a former employee of DeTray's Custom
24 Housing, LLC.

25 JURISDICTION AND VENUE

26 6. This Court has original jurisdiction over the subject matter of this action
27 pursuant to RCW 2.08.010.
28

1 15. In 2008, Cauvin was prosecuted for mortgage fraud and ultimately pled
2 guilty to money laundering in 2014. During the pendency of that case, Cauvin
3 attempted to discredit one of the prosecution's witnesses—a Bellevue resident
4 named Mike Creel—by posting online that Mr. Creel had been convicted of
5 robbery, burglary, fraud, and forgery.

6 16. Cauvin's history also includes three convictions for the unlawful
7 issuance of checks in 1999 and a conviction for fraud in 2001. Cauvin further has
8 convictions for burglary in 1995 and kidnapping in 1992. But Cauvin did not
9 disclose any of these convictions on his application for employment; instead, he
10 falsely stated that he had no criminal history.

11 17. Following its policy, DeTray's Custom Housing provided Cauvin with
12 an employee handbook that included certain employment agreements for him to
13 read and sign. On December 4, 2015, Cauvin executed a Sales Agent Agreement, a
14 DeTray's Custom Housing Confidentiality Form, and a Sales Consultant
15 Commitment agreement. On December 23, 2015, Cauvin also executed a DeTray's
16 Custom Housing Sales Job Description (together with the Sales Agent Agreement,
17 Confidentiality Form, and Sales Consultant Commitment, the "Employment
18 Agreement").

19 18. Because of some early disagreements regarding commission payouts,
20 Dana required Cauvin to sign a second DeTray's Custom Housing Confidentiality
21 Form on January 16, 2016 and a second Sales Consultant Commitment and Sales
22 Agent Agreement on December 21, 2015. The Confidentiality Agreements
23 prohibited Cauvin from using any trade secrets for any purpose other than his
24 employment or to divulge them to the public .

25 19. The Employment Agreement contained clear terms regarding the
26 payment of Cauvin's wages and when and how he would earn commissions on his
27 sales: commissions would be paid only when three conditions were met: (1) the
28 entire sales price of the home, plus relevant taxes, title fees, and insurance was

1 remitted to DeTray's Custom Housing; (2) the buyer had a permit for placement
2 of the home, and (3) the home was built by the factory and released for delivery to
3 the buyer.

4 20. Because of the multiple steps required to sell a custom-built
5 manufactured home, DeTray's Custom Housing only pays—and has ever only
6 paid—commissions to its sales consultants when these three conditions are met.

7 21. At the beginning of his employment with DeTray's Custom Housing,
8 Cauvin seemingly performed his job well, generating a substantial number of sales
9 deposits.

10 22. But beginning in February 2016, Cauvin began to demand commissions
11 on homes for which he had only collected a deposit despite the terms of the
12 Employment Agreement.

13 23. The DeTrays referred Cauvin to the terms of the Employment
14 Agreement and told him that they would discuss it further when they returned
15 from a pre-planned family vacation in mid-March. As a show of good faith, the
16 DeTrays even considered giving Cauvin a 50% "advance" on his commissions.

17 24. But on March 15, 2016, Cauvin became angry about this pay structure
18 and quit by walking off the job without providing two weeks' notice as required by
19 the Employment Agreement.

20 25. Cauvin violated the Confidentiality Agreement by taking copies of most
21 of DeTray's Custom Housing's proprietary documents and data with him when he
22 left by physically loading boxes of paperwork into his car. These documents and
23 data are DeTray's Custom Housing's trade secrets. DeTray's Custom Housing
24 uses commercially reasonable measures to keep them secret, including keeping
25 them locked, not making them available to the public, and directing every employee
26 who has contact with them that they must be kept confidential.

Cauvin's Claims with the Department of Labor & Industries

26. On March 26, 2016, Cauvin sent an email to Dana and Diane DeTray notifying them that on March 15, 2016, he "filed a claim" with the Department of Labor & Industries (the "Department") for "unpaid wages" and "injuries" he claimed to have sustained while working at DeTray's Custom Housing.

27. DeTray's Custom Housing disputed his claims and the Department ultimately dismissed Cauvin's case on January 4, 2017. The Board of Industrial Insurance Appeals affirmed the Department's ruling on March 27, 2017.

28. Throughout the Department's process, Cauvin appeared determined to disrupt DeTray's Custom Housing's business. For example, he distributed emails about his LNI claims to the DeTrays' business associates, including David Helgeson, the MHRV Show Director. For example, on March 28, 2016, Cauvin sent a message to Mr. Helgeson claiming that he had filed lawsuits against Dana and Diane DeTray for "negligence, wrongful termination, employer misconduct, endanger (sic) to employees and wilful (sic) withholding of employee funds." While Cauvin had filed a complaint with the Department, he did not file any such lawsuit(s).

29. Cauvin also sent text messages and emails to Dana DeTray regarding the money Cauvin believed he was owed: on March 31, 2016, Dana DeTray received an email from an anonymous email account containing only the following text: "Payback the money you have stolen from everyone. Your business and reputation will be severely damaged".

30. Also on March 31, 2016, Dana DeTray received the following text messages sent from 2536915567@vzwpix.com:

"Your business and reputation will be ruined."

"Stealing money from people brings consequences...."

A third message contained only a picture of a person's head with a bag over it.

1 31. Given the subject matter and timing, Dana believes that Cauvin sent all
2 of these messages.

3 **Cauvin's Online Character Assassination and Intimidation Campaign**

4 32. On March 31, 2016, Cauvin sent an email directly to the DeTrays and
5 three DeTray's Custom Housing employees that contained a fake news release
6 alleging that Dana DeTray was under investigation for sexual harassment and child
7 pornography.

8 33. Dana DeTray has never been under investigation for sexual harassment
9 or child pornography.

10 34. The fake news release also stated that a complaint filed in King County,
11 Washington contained details of the alleged abuse and included causes of action for
12 "sexual harassment and wrongful termination" and suggested that charges would
13 be filed within the next few weeks.

14 35. No one filed such a complaint and no prosecutor filed any charges
15 against Dana DeTray.

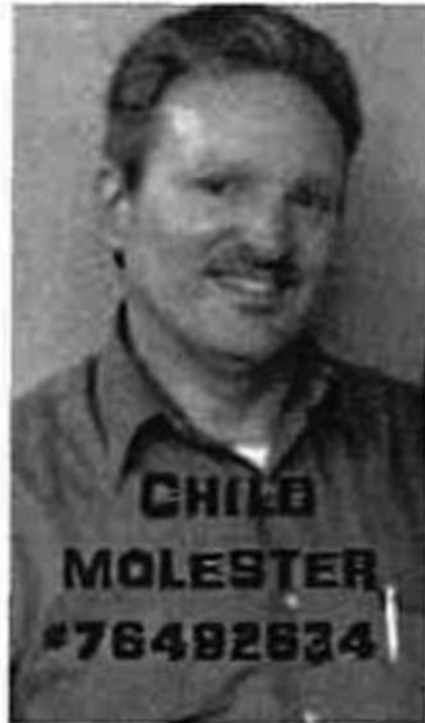
16 On information and belief, Cauvin also sent the following messages:

- 17 – On April 1, 2016, to DeTray's Custom Housing employee Jonathan
18 Williams: "Your cards have been played. We will expose who you are.
19 Expect legal justice." This email included two images, as follows: (i) a
20 picture of a man in a Guy Fawkes mask holding a keyboard like one would
21 hold a rifle; and (ii) a picture of a man in a Guy Fawkes mask and an
22 apparent Klu Klux Klan member playing chess.



- Also on April 1, 2016, to Dana DeTray and multiple DeTray’s Custom Housing employees: “Are you working for a child molester?” The email

1 included two obviously doctored photographs as follows: (i) a picture of
2 Dana DeTray labeled “CHILD MOLESTER #76492634”; and (ii) a
3 picture of Dana and Diane labeled “Buyer Beware Business Crooks Dana
4 and Diane Detray.”



- 24 – On April 6, 2016, to DeTray’s Custom Housing’s fax number: a fax
25 reading “Local business owner wanted for rape” and containing another
26 doctored picture of Dana DeTray imposed on an ABC News Good
27 Morning backdrop titled, “DANA DETRAY OF DETRAYS CUSTOM
28

HOUSING” with a caption reading “MAN ACCUSED OF RAPING 10 & 12-YEAR-OLD GIRLS” and “POLICE: THIS MAN MAY BE TRYING TO LEAVE THE U.S.”



36. After receiving the messages described above, Dana filed a Petition for Order for Protection - Harassment against Jay Cauvin in Pierce County District Court on April 1, 2016. Dana’s Petition included as examples some of the messages described above.

37. The Pierce County District Court issued an Order for Protection From Unlawful Civil Harassment on June 10, 2016, and ordered that:

- Cauvin is restrained from making any attempts to contact Dana;
- Cauvin is restrained from making any attempts to follow or keep Dana under surveillance;
- Cauvin is restrained from entering or being within 2 miles of DeTray’s Custom Housing’s offices in Puyallup; and
- Cauvin is restrained from “contacting [Dana], directly or through third parties, by any electronic means of communication, including by phone, email, text messaging or through social media.”

1 38. After serving Cauvin via publication, the Order for Protection went into
2 effect on June 10, 2016 and lasted until June 10, 2017.

3 39. Despite the Order for Protection, Cauvin obtained a booth at a home
4 show on May 10, 2017, at which Dana and DeTray's Custom Housing were also
5 showing.

6 40. Cauvin issued a check—which later bounced—to rent a booth for his
7 Discount Custom Homes business and attended the home show along with his
8 girlfriend, Linette Gonzales, and Cauvin's associate, "Paul." Cauvin used the
9 booth to distribute brochures for selling "Tiny Homes," despite not having any
10 legal capability to sell such homes.

11 41. When Dana noticed Cauvin's booth, he tried to examine one of Cauvin's
12 brochures, but Paul grabbed the document from Dana's hand and told him "this is
13 not yours." A brief confrontation followed, and Dana requested that Cauvin be
14 removed from the show because of the Order for Protection. Cauvin left and did
15 not return for the show's second day.

16 42. Dana reported this incident to his attorney, Steve Burnham, and his wife,
17 Diane DeTray, in an email written only hours afterward, stating that he was "very
18 scared for myself, my granddaughter...and my staff" because of Cauvin's
19 reputation and the confrontation with Paul.

20 **Cauvin's Small Claims and District Court Action**

21 43. After Cauvin's claims with the Department failed, Cauvin filed a small
22 claims action against DeTray's Custom Housing on December 19, 2016, seeking
23 \$4,999.99 in "lost wages"; trial was set for March 20, 2017.

24 44. DeTray's Custom Housing moved to have the case removed to civil
25 status in Pierce County District Court on February 2, 2017. The district court
26 granted the motion on February 27, 2017 and DeTray's Custom Housing filed its
27 Answer to the small claims complaint on July 28, 2017.
28

1 45. The district court dismissed Cauvin’s case on November 16, 2017, after
2 Cauvin failed to appear for trial. On December 1, 2017, Cauvin’s case was
3 dismissed with prejudice after he failed to bring the matter back before the court as
4 the district court had ordered.

5 **Cauvin’s Renewed Online Character Assassination and Craigslist Posts**

6 46. On November 8, 2017 Cauvin attempted to post a comment on the
7 DeTray’s Custom Housing blog that said, “Bunch of Crooks at this company.
8 Dana DeTray is a child molester.” DeTray’s Custom Housing prevented this
9 comment from being posted and began monitoring its Facebook, Twitter,
10 YouTube, and Better Business Bureau accounts for additional negative comments
11 or accusations.

12 47. On November 22, 2017, a past board member of the MHRV Show
13 Association—of which Dana and DeTray’s Custom Housing are members and
14 which is crucial to DeTray’s Custom Housing’s business—received an email from
15 “millerclothing@juno.com” with the subject line, “Puyallup business man Dana
16 Detray (sic) molesting children at his office hom e (sic)”.

17 48. The email body read:

18 We will be filing the attached document next week in King
19 County. We are seeking others who have been victimized by
20 Dana Detray (sic). Please reply with any additional
21 information.

22 49. The email also included a document that appeared to be a “Complaint
23 for Damages: Child Sex, Abuse, Rape, Sodomy & Illegal Child Prostitution” (the
24 “Purported Complaint”), which sets forth in detail heinous acts allegedly
25 committed by Dana M. DeTray against minor plaintiff “K.M.”

26 50. The Purported Complaint alleges numerous acts in excruciating detail:

- 27 • K.M. encountered Dana Detray upon the 7-11 store in Puyallup and a
28 friendly interaction. Mr. Detray was approximately age late 50’s at
 the time, and propositioned K.M. for private visits in his car or at one

1 of the several homes Mr. Detray had on display at his business
2 location...

- 3 • K.M. recalls that Dana Detray drove purple color SUV or on another
4 occasion drove a red older convertible car. When K.M. was taken to
5 Detrays custom housing, the main model home that was used to do
6 sexual act was off meridian and remembers as you entered he would
7 be taken to the bedroom to the right, with a bathroom.
- 8 • The interaction turned sexual. Prior to the sex acts, Mr. Detray asked
9 K.M. his age, and he responded truthfully, age 12. Mr. Detray
10 propositioned K.M. in the form of sex acts for money — a form of
11 child prostitution.
- 12 • The sex acts included various forms of intercourse — anal of course —
13 and oral sex acts, with Mr. Detray always on the receiving end of oral
14 interaction. At times, the sex turned aggressive, beyond a point to
15 which K.M., was comfortable and/or felt to which he had agreed.

16 51. The Purported Complaint even implicates Dana DeTray's father—Paul
17 DeTray—alleging that “Mr. Detray admitted that his father began sexually abusing
18 him when he was a boy.”

19 52. All of these allegations are false.

20 53. In fact, the Purported Complaint is nearly a word-for-word copy of the
21 “Complaint for Damages: Child Sex Abuse & Illegal Child Prostitution” that was
22 filed in King County Superior Court against then-Seattle Mayor Edward Murray on
23 April 6, 2017.

24 54. On information and belief, Cauvin is the author of the Purported
25 Complaint, all material related to it, and is also its distributor, including sending the
26 email to MHRV Show Association board members.

27 55. The original recipient of the email and Purported Complaint forwarded
28 them to Dave Helgeson, the MHRV Show Association director, who forwarded the
email and Purported Complaint to Dana DeTray within minutes of receiving it.

1 56. The DeTrays ultimately decided to forego attending the Seattle RV
2 Show because Dana feared that Cauvin could target the MHRV Show Association
3 itself. DeTray's Custom Housing estimates that it lost approximately \$250,000 in
4 revenue from lost sales and loss of advertising at the show.

5 57. Beginning on November 24, 2017, Cauvin began posting to
6 cragislist.com. Dana even received a phone call from a friend during which Dana
7 learned that third parties saw—and were greatly disturbed by—Cauvin's
8 craigslist.com postings.

9 58. Cauvin's postings included the following messages:

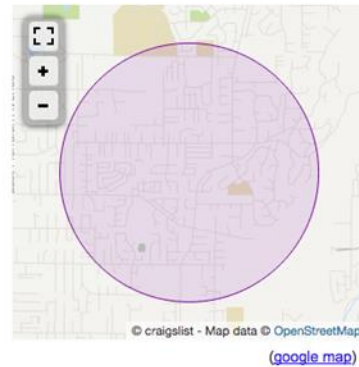
10 November 25, 2017: "Public Safety Announcement Dana
11 Detray Manufacture Homes Molesting Boy (Puyallup)"

12 "New allegation's from 12 year old boy claims Dana Detray
13 grabbed the boy by his genitals while forcibly pushing him
14 against a car while walking outside of a convenience store in
puyallup area.

15 detrays custom housing
16 10209 149th St. E., Puyallup, WA"

1 ☆ **WARNING STAY AWAY FROM DETRAYS CUSTOM HOUSING...RAPIST OWNS**
2 **COMPANY (10209 149th St. E., Puyallup, WA 98374)**

3 image 1 of 3



12 New allegation's from 12 year old boy claims Dana Detray grabbed the boy by his genitals while forcibly pushing him against a car while walking outside of a convenience store in the puyallup area.

14 detrays custom housing
10209 149th St. E., Puyallup, WA

15 do NOT contact me with unsolicited services or offers

16 post id: 6398011541 posted: a day ago updated: about an hour ago email to friend best of 17

18 – November 27, 2017: “Stay Away from Detrays Manufactured
19 Home...Child molester owns business.”

20 “Have you been sexually abused by Dana Detray of Detray
21 Manufactured Homes?

22 Please contact us for confidential information about him.

2101 Fourth Avenue, Suite 1500
Seattle, Washington 98121
(206) 274-2800

Put a stop to his abuse.”

Warning-Detrays Custom-Housing-Puyallup-Owner-Accused-of-Rape (10209-149th St-E, Puyallup, WA 98374)  unhide

image 1 of 2



available now

open house dates

monday 2017-11-27

tuesday 2017-11-28

wednesday 2017-11-29

apartment



Attention Manufactured Home buyers, Dana Detray of Detrays Custom Housing Puyallup is accused of molesting young boys inside the model homes they display at 10209 149th St E, Puyallup, WA 98374.

Please don't support a rapist. Family members have been threatening parents and children from coming forward to testify against molester Dana Detray.

Put a stop to his abuse.

- do NOT contact me with unsolicited services or offers

post id: 6403020594

posted: a day ago

[email to friend](#)

 [best of](#) 

– November 29, 2017: “Beware of doing business with Detrays Custom Housing—Dana Detray.”

“This posting is to inform consumers on the unethical, lying, cheating and abuse of a local business man by the name of Dana Detray who resides in Puyallup and who’s business address is Detrays Custom Housing, Detrays Manufactured Homes. This notice will stand as a warning to the types of business this company conducts.

The owner Dana Detray has participated in theft, fraud, Sexual Abuse of children inside home and other serious allegations. Family has made threats to individuals who have come forward to testify against.

Here is Dana Detrays Business Information:

UBI# 602 199 054

Business Name

DETRAYS CUSTOM HOUSING LLC

OWNER: DANA M DETRAY

Business Address

10209 149th St E,
Puyallup, WA 98374”

CL seattle > seattle > community > local news and views

◀ prev ▲ next ▶

reply

☐ prohibited

Posted about 18 hours ago

print

★ **Beware of Doing Business with Detrays Custom Housing..Dana Detray (Puyallup)**

This posting is to inform consumers on the unethical, lying, cheating and abuse of a local business man by the name of Dana Detray who resides in Puyallup and who's business address is Detrays Custom Housing, Detrays Manufactured Homes. This notice will stand as a warning to the types of business this company conducts.

The owner Dana Detray has participated in theft, fraud, Sexual Abuse of children inside home and other serious allegation. Family has made threats to individuals who have come forward to testify against.

Here is Dana Detrays Business Information:

UBI # 602 199 054

Business Name

DETRAYS CUSTOM HOUSING LLC

OWNER: DANA M DETRAY

Business Address

10209 149th St E,
Puyallup, WA 98374

Keywords: Manufactured Homes, Mobile Homes, Modular Homes, Detrays Custom Homes

• do NOT contact me with unsolicited services or offers

post id: 6406079198

posted: about 18 hours ago

[email to friend](#)

[best of](#)

- November 30, 2017: “Paul Detray son Dana Detray accused of Molesting Children.”

“Paul Detray son Dana Detray accused of Molesting Children
(10249 149th St E)

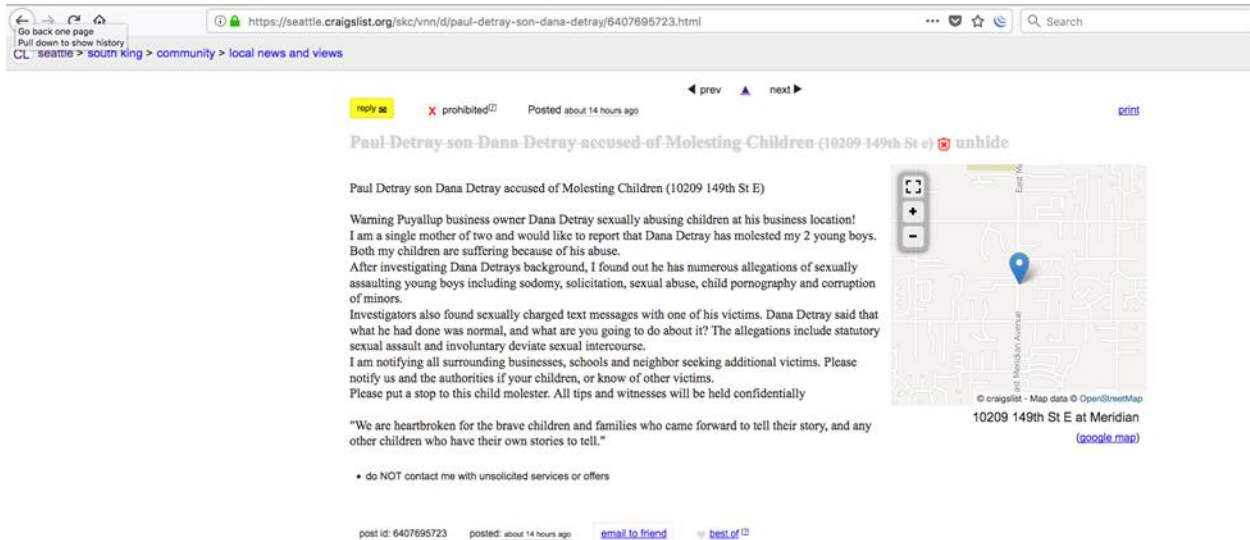
Warning Puyallup business owner Dana Detray sexually
abusing children at this business location!

I am a single mother of two and would like to report that Dana
Detray has molested by 2 young boys. Both of my children are
suffering because of his abuse.

After investigating Dana Detrays background, I found out he

has numerous allegations of sexually assaulting young boys including sodomy, solicitation, sexual abuse, child pornography and corruption of minors. Investigators also found sexually charged text messages with one of his victims. Dana Detray said that what he had done was normal, and what are you going to do about it? The allegations include statutory sexual assault and involuntary deviate sexual intercourse. I am notifying all surrounding businesses, schools and neighbor seeking additional victims. Please notify us and the authorities if your children, or know of other victims. Please put a stop to this cold molester. All tips and witnesses will be held confidentially

““We are heartbroken for the brave children and families who came forward to tell their story, and any other children who have their own stories to tell.””



– December 26, 2017: “Don’t do business with Detrays Custom Housing...Puyallup”:

“Beware of Doing Business with Detrays Custom Housing..Dana Detray (Puyallup) hide this posting

This posting is to inform consumers on the unethical, lying, cheating and abuse of a local business man by the name of Dana Detray who resides in Puyallup and who’s business address is Detrays Custom Housing, Detrays Manufactured

Homes. This notice will stand as a warning to the types of business this company conducts.

The owner Dana Detray has participated in theft, fraud, Sexual Abuse of children inside home and other serious allegations. Family has made threats to individuals who have come forward to testify against.

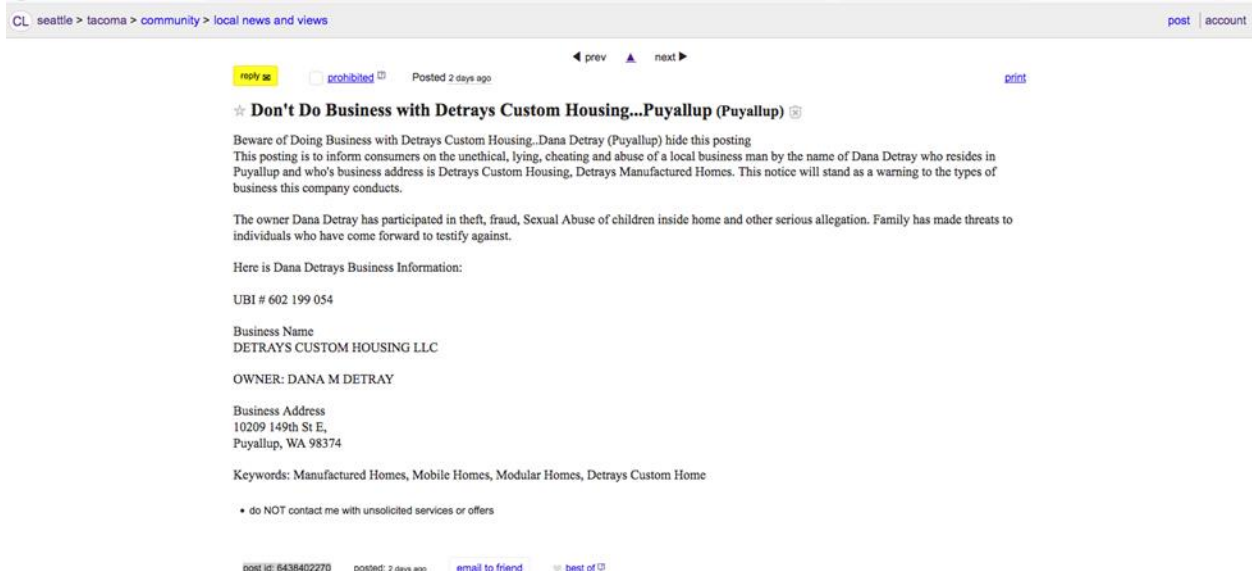
Here is Dana Detrays Business Information:

UBI# 602 199 054

Business Name
DETRAYS CUSTOM HOUSING LLC

OWNER: DANA M DETRAY

Business Address
10209 149th St E,
Puyallup, WA 98374”



59. The accusations in these posts—like the accusations in the Purported Complaint—are false.

60. DeTray’s Custom Housing performed regular searches on Google, Yahoo, and Bing during the first and second weeks of December and discovered

1 that even simple searches for “Dana DeTray” included results from the
2 craigslist.com postings above.

3 61. Because of Cauvin’s activities on Craigslist.com, potential customers or
4 business partners who performed basic searches for Dana or DeTray’s Custom
5 Housing found or would find accusations of child molestation and rape.

6 62. Especially given the current social environment and sensitivity about
7 allegations of sexual harassment and misconduct, Cauvin’s activities have harmed
8 Dana DeTray’s reputation, caused financial harm to DeTray’s Custom Housing,
9 and resulted in emotional trauma to Dana, Diane, and the extended DeTray family.

10 **FIRST CAUSE OF ACTION**

11 **Defamation**

12 63. Plaintiffs hereby incorporate by reference the foregoing paragraphs as
13 though fully set forth herein,

14 64. Plaintiffs specifically do not include any of the statements Cauvin made
15 before the Department, the small claims or Pierce County district court, or any
16 other judicial or quasi-judicial body, in this Cause of Action.

17 65. Cauvin published numerous false and defamatory statements regarding
18 allegations of child molestation and abuse by Dana M. DeTray, by posting
19 comments on craigslist.com, sending emails to the DeTrays’ business associates,
20 and fabricating and distributing false court documents.

21 66. Cauvin knew or should have known that such statements were false at
22 the time they were made and continue to be false.

23 67. Cauvin’s communications were not privileged in any manner recognized
24 by law.

25 68. Cauvin’s defamatory statements directly injured and continue to injure
26 Plaintiffs’ reputation in their profession, trade, and business.

27 69. Cauvin’s defamatory statements directly injured and continue to injure
28 the perception of each Plaintiff’s moral character.

1 70. As a result of such defamation, each Plaintiff suffered and continues to
2 suffer damages.

3 **SECOND CAUSE OF ACTION**

4 **Outrage & Intentional Infliction of Emotional Distress**

5 71. Plaintiffs hereby incorporate by reference the foregoing paragraphs as
6 though fully set forth herein.

7 72. Cauvin published numerous false and defamatory statements regarding
8 allegations of child molestation and abuse by Dana M. DeTray, by posting
9 comments on craigslist.com, sending emails to the DeTrays' business associates,
10 and fabricating and distributing false court documents.

11 73. Cauvin knew or should have known that their statements were false at
12 the time they were made and continue to be false.

13 74. Cauvin's conduct constitutes extreme and outrageous conduct that goes
14 beyond all possible bounds of decency and can be regarded as atrocious and utterly
15 intolerable in a civilized community.

16 75. Cauvin intended to cause—or through his own recklessness, caused
17 emotional distress to Plaintiffs Dana and Diane DeTray.

18 76. Plaintiffs Dana and Diane DeTray in fact have suffered—and continue to
19 suffer—severe emotional distress as a direct result of Cauvin's conduct.

20 77. As a result of such emotional distress, Plaintiffs Dana and Diane DeTray
21 suffered and continue to suffer damages.

22 **THIRD CAUSE OF ACTION**

23 **Breach of Contract**

24 78. Plaintiffs hereby incorporate by reference the foregoing paragraphs as
25 though fully set forth herein.

26 79. Cauvin and DeTray's Custom Housing formed a valid and binding
27 contract, supported by consideration and mutual assent of the parties.
28

1 80. The contract required Cauvin to maintain confidentiality of certain
2 information, including DeTray's Custom Housing's sensitive and proprietary
3 information related to customers and its business.

4 81. The contract further required Cauvin to provide two weeks' notice
5 before leaving employment with DeTray's Custom Housing and specified the
6 consequences for failing to provide such notice.

7 82. Cauvin breached the contract with DeTray's Custom Housing by taking
8 sensitive and proprietary information from DeTray's Custom Housing and by
9 failing to provide the requisite notice before leaving its employment.

10 83. As a result of Cauvin's breach of contract, DeTray's Custom Housing
11 suffered damages.

12 **FOURTH CAUSE OF ACTION**

13 **Intentional Interference with a Business Relationship**

14 84. Plaintiffs hereby incorporate by reference the foregoing paragraphs as
15 though fully set forth herein.

16 85. Plaintiffs maintain numerous contractual relationships with business
17 partners, including suppliers, manufacturers, renters, landlords, and the MHRV
18 Show Association in connection with their custom-built manufactured housing
19 retail business.

20 86. To obtain and maintain these relationships, Plaintiffs built a reputation
21 for honesty and reliability over more than a decade.

22 87. Cauvin knew about these contractual relationships.

23 88. Cauvin intentionally interfered with Plaintiffs' contractual relationships
24 by improper means, namely defamation, outrage, breach of contract, and
25 misappropriation of trade secrets.

26 89. Cauvin's intentional interference caused and continues to cause damage
27 to Plaintiffs.

1 **FIFTH CAUSE OF ACTION**

2 **Intentional Interference with Prospective Business Expectancy**

3 90. Plaintiffs hereby incorporate by reference the foregoing paragraphs as
4 though fully set forth herein.

5 91. Plaintiffs have business expectancies with customers who visit their
6 showroom, interact with sales staff, and meet with Plaintiffs at trade shows.

7 92. Cauvin knew or should have known about these business expectancies.

8 93. Cauvin intentionally interfered with Plaintiffs' business expectancies by
9 improper means, namely defamation, outrage, breach of contract, and
10 misappropriation of trade secrets.

11 94. Cauvin's intentional interference caused and continues to cause damage
12 to Plaintiffs.

13 **SIXTH CAUSE OF ACTION**

14 **Violation of Washington Uniform Trade Secrets Act, RCW 19.108 et seq.**

15 95. Plaintiffs hereby incorporate by reference the foregoing paragraphs as
16 though fully set forth herein.

17 96. DeTray's Custom Housing maintains files with numerous types of
18 highly sensitive and valuable information that DeTray's Custom Housing considers
19 to be its trade secrets.

20 97. For example, DeTray's Custom Housing's files contain customer lists,
21 supplier lists, wholesale and retail pricing, manufacturers' agents and contact lists,
22 policies, procedures, and details of its custom-built manufactured housing business
23 know-how garnered from almost 15 years of business.

24 98. Plaintiffs' files therefore constitute trade secrets under RCW
25 19.108.010(4) because its files contain information that derives independent
26 economic value from not being known generally to—and not being readily
27 ascertainable by proper means by—other persons who can obtain economic value
28

1 from its disclosure or use and that is subject to efforts that are reasonable under the
2 circumstances to maintain its secrecy.

3 99. Cauvin misappropriated Plaintiffs' trade secrets by using and disclosing
4 those trade secrets without express or implied consent from DeTray's Custom
5 Housing after acquiring such trade secrets by improper means, namely theft and
6 breach of a duty to maintain the secrecy of those trade secrets.

7 100. As a result of Cauvin's misappropriation of Plaintiffs' trade secrets,
8 Plaintiffs suffered and continue to suffer damages.

9 101. Cauvin willfully and maliciously misappropriated Plaintiffs' trade
10 secrets.

11 SEVENTH CAUSE OF ACTION

12 Fraud

13 102. Plaintiffs hereby incorporate by reference the foregoing paragraphs as
14 though fully set forth herein.

15 103. Defendant Cauvin represented that his name was Jay Cauvin and that he
16 had no criminal history on his employment application to DeTray's Custom
17 Housing.

18 104. Cauvin's true name and the existence of a criminal history was material
19 to DeTray's Custom Housing decision to hire Cauvin.

20 105. Cauvin's true name is Yves Julian Cauvin and he has an extensive
21 criminal history as detailed in this Complaint, making his representations in his
22 employment application false.

23 106. Cauvin intended for DeTray's Custom Housing to rely upon his false
24 representation.

25 107. DeTray's Custom Housing was ignorant of Cauvin's false
26 representations. Although DeTray's Custom Housing conducted a standard
27 employment background check on Cauvin, his use of an alias prevented Plaintiffs
28 from locating his criminal history.

1 108. Plaintiffs relied on the truth of Cauvin's representation.

2 109. Plaintiffs had a right to rely upon Cauvin's representations.

3 110. Plaintiffs suffered damages as a result of Cauvin's representations.

4 **RELIEF REQUESTED**

5 Plaintiffs respectfully request the following relief:

- 6 1. Temporary, preliminary and permanent injunctive relief;
- 7 2. General damages to be proved at trial;
- 8 3. Special damages to be proved at trial;
- 9 4. Doubling or trebling of damages as allowed by law;
- 10 5. Pre- and post-judgment interest thereon;
- 11 6. Attorney's fees as allowed by law; and
- 12 7. Such other and further relief as the Court deems just and proper.

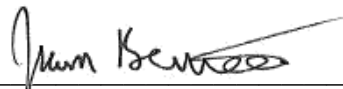
13 **JURY DEMAND**

14 Plaintiff requests trial by jury of all claims that can be so tried.

15

16 Dated: January 24, 2018

NEWMAN DU WORS LLP

17 

18 _____
19 Jason Bernstein, WSBA No. 39362
jake@newmanlaw.com

20 Attorney for Plaintiff
21 Detray's Custom Housing, LLC, Dana
22 Detray, and Diane Detray

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CIVIL
KING COUNTY SUPERIOR COURT
Case Information Cover Sheet (CICS)

Case Number _____ **Case Title** DeTray's Custom Housing, LLC et al v. Y.J. Cauvin

Attorney Name Jason Bernstein

Bar Membership Number 39362

Please check one category that best describes this case for indexing purposes. Accurate case indexing not only saves time in docketing new cases, but helps in forecasting needed judicial resources. Cause of action definitions are listed on the back of this form. Thank you for your cooperation.

- | | |
|---|--|
| <input type="checkbox"/> ABJ Abstract of Judgment | <input type="checkbox"/> PRG Property Damage – Gangs |
| <input type="checkbox"/> ALR Administrative Law Review | <input type="checkbox"/> PRP Property Damages |
| <input type="checkbox"/> ALRJT Administrative Law Review-Jury Trial (L&I) | <input type="checkbox"/> QTI Quiet Title |
| <input type="checkbox"/> CRP Petition for Certificate of Restoration of Opportunity | <input type="checkbox"/> RDR Relief from Duty to Register |
| <input type="checkbox"/> CHN Non-Confidential Change of Name | <input type="checkbox"/> RFR Restoration of Firearm Rights |
| <input type="checkbox"/> COL Collection | <input type="checkbox"/> SDR School District-Required Action Plan |
| <input type="checkbox"/> CON Condemnation | <input type="checkbox"/> SPC Seizure of Property-Commission of Crime |
| <input type="checkbox"/> COM Commercial | <input type="checkbox"/> SPR Seizure of Property-Resulting from Crime |
| <input type="checkbox"/> DOL Appeal Licensing Revocation | <input type="checkbox"/> STK Stalking Petition |
| <input type="checkbox"/> DVP Domestic Violence | <input type="checkbox"/> SXP Sexual Assault Protection |
| <input type="checkbox"/> EOM Emancipation of Minor | <input type="checkbox"/> TAX Employment Security Tax Warrant |
| <input type="checkbox"/> FJU Foreign Judgment | <input type="checkbox"/> TAX L & I Tax Warrant |
| <input type="checkbox"/> FOR Foreclosure | <input type="checkbox"/> TAX Licensing Tax Warrant |
| <input type="checkbox"/> FPO Foreign Protection Order | <input type="checkbox"/> TAX Revenue Tax Warrant |
| <input type="checkbox"/> HAR Unlawful Harassment | <input type="checkbox"/> TMV Tort – Motor Vehicle |
| <input checked="" type="checkbox"/> INJ Injunction | <input type="checkbox"/> TRJ Transcript of Judgment |
| <input type="checkbox"/> INT Interpleader | <input type="checkbox"/> TTO Tort – Other |
| <input type="checkbox"/> LCA Lower Court Appeal – Civil | <input type="checkbox"/> TXF Tax Foreclosure |
| <input type="checkbox"/> LCI Lower Court Appeal – Infractions | <input type="checkbox"/> UND Unlawful Detainer – Commercial |
| <input type="checkbox"/> LUPA Land Use Petition Act | <input type="checkbox"/> UND Unlawful Detainer – Residential |
| <input type="checkbox"/> MAL Other Malpractice | <input type="checkbox"/> VAP Vulnerable Adult Protection Order |
| <input type="checkbox"/> MED Medical Malpractice | <input type="checkbox"/> VVT Victims of Motor Vehicle Theft-Civil Action |
| <input type="checkbox"/> MHA Malicious Harassment | <input type="checkbox"/> WDE Wrongful Death |
| <input type="checkbox"/> MSC2 Miscellaneous – Civil | <input type="checkbox"/> WHC Writ of Habeas Corpus |
| <input type="checkbox"/> MST2 Minor Settlement – Civil (No Guardianship) | <input type="checkbox"/> WMW Miscellaneous Writs |
| <input type="checkbox"/> PCC Petition for Civil Commitment (Sexual Predator) | <input type="checkbox"/> WRM Writ of Mandamus |
| <input type="checkbox"/> PFA Property Fairness Act | <input type="checkbox"/> WRR Writ of Restitution |
| <input type="checkbox"/> PIN Personal Injury | <input type="checkbox"/> WRV Writ of Review |
| <input type="checkbox"/> PRA Public Records Act | <input type="checkbox"/> XRP Extreme Risk Protection Order |

IF YOU CANNOT DETERMINE THE APPROPRIATE CATEGORY, PLEASE DESCRIBE THE CAUSE OF ACTION BELOW.

Please Note: Public information in court files and pleadings may be posted on a public Web site.

<p>APPEAL/REVIEW</p> <p>Administrative Law Review-Petition to the superior court for review of rulings made by state administrative agencies.</p> <p>Appeal of a Department of Licensing Revocation-Appeal of a DOL revocation (RCW 46.20.308(9)).</p> <p>Lower Court Appeal-Civil-An appeal for a civil case; excludes traffic infraction and criminal matters.</p> <p>Lower Court Appeal-Infractions-An appeal for a traffic infraction matter.</p>	<p>related to gang activity.</p> <p>Public Records Act-Actions filed under RCW 42.56.</p> <p>Relief from Duty to Register-Civil action requesting relief from duty to register as a sex offender. Petition can address the registration obligation that arises from multiple cases. RCW 9A.44.142, 9A.44.143.</p> <p>Restoration of Firearms Rights-Petition seeking restoration of firearms rights under RCW 9.41.040 and 9.41.047. (<i>Eff. 9-2-2014</i>)</p> <p>School District-Required Action Plan-Petition filed requesting court selection of a required action plan proposal relating to school academic performance.</p> <p>Seizure of Property from the Commission of a Crime-Seizure of personal property which was employed in aiding, abetting, or commission of a crime, from a defendant after conviction.</p> <p>Seizure of Property Resulting from a Crime-Seizure of tangible or intangible property which is the direct or indirect result of a crime, from a defendant following criminal conviction (e.g., remuneration for, or contract interest in, a depiction or account of a crime).</p> <p>Subpoenas-Petition for a subpoena.</p>
<p>CONTRACT/COMMERCIAL</p> <p>Breach of Contract-Complaint involving monetary dispute where a breach of contract is involved.</p> <p>Commercial Contract-Complaint involving monetary dispute where a contract is involved.</p> <p>Commercial Non-Contract-Complaint involving monetary dispute where no contract is involved.</p> <p>Third Party Collection-Complaint involving a third party over a monetary dispute where no contract is involved.</p>	<p>PROPERTY RIGHTS</p> <p>Condemnation-Complaint involving governmental taking of private property with payment, but not necessarily with consent.</p> <p>Foreclosure-Complaint involving termination of ownership rights when a mortgage or tax foreclosure is involved, where ownership is not in question.</p> <p>Land Use Petition-Petition for an expedited judicial review of a land use decision made by a local jurisdiction (RCW 36.70C.040).</p> <p>Property Fairness-Complaint involving the regulation of private property or restraint of land use by a government entity brought forth by Title 64 RCW.</p> <p>Quiet Title-Complaint involving the ownership, use, or disposition of land or real estate other than foreclosure.</p> <p>Unlawful Detainer-Complaint involving the unjustifiable retention of lands or attachments to land, including water and mineral rights.</p>
<p>PROTECTION ORDER</p> <p>Civil Harassment-Petition for protection from civil harassment.</p> <p>Domestic Violence -Petition for protection from domestic violence.</p> <p>Extreme Risk Protection Order-Petition to restrict ownership, possession, custody or control of a firearm or concealed weapons permit.</p> <p>Foreign Protection Orders-Any protection order of a court of the United States, or of any state, territory, or tribal land, which is entitled to full faith and credit in this state.</p> <p>Sexual Assault Protection-Petition under RCW 7.90.020.</p> <p>Stalking- Petition for protection from stalking for victims who do not qualify for a domestic violence protection order. (RCW 7.92.030)</p> <p>Vulnerable Adult Protection-Petition for protection order for vulnerable adults, as those persons are defined in RCW 74.34.020.</p>	<p>TORT, MEDICAL MALPRACTICE</p> <p>Hospital-Complaint involving injury or death resulting from a hospital.</p> <p>Medical Doctor-Complaint involving injury or death resulting from a medical doctor.</p> <p>Other Health Care Professional-Complaint involving injury or death resulting from a health care professional other than a medical doctor.</p>
<p>JUDGMENT</p> <p>Abstract Only-A certified copy of a judgment docket from another superior court, an appellate court, or a federal district court.</p> <p>Foreign Judgment-Any judgment, decree, or order of a court of the United States, or of any state or territory, which is entitled to full faith and credit in this state.</p> <p>Judgment, Another County-A certified copy of a judgment docket from another superior court within the state.</p> <p>Judgment, Another State-Any judgment, decree, or order from another state which is entitled to full faith and credit in this state.</p> <p>Tax Warrants -A notice of assessment by a state agency creating a judgment/lien in the county in which it is filed. (Four types available.)</p> <p>Transcript of Judgment-A certified copy of a judgment from a court of limited jurisdiction to a superior court in the same county.</p>	<p>TORT, MOTOR VEHICLE</p> <p>Death-Complaint involving death resulting from an incident involving a motor vehicle.</p> <p>Non-Death Injuries -Complaint involving non-death injuries resulting from an incident involving a motor vehicle.</p> <p>Property Damage Only-Complaint involving only property damages resulting from an incident involving a motor vehicle.</p>
<p>OTHER COMPLAINT/PETITION</p> <p>Petition for Certificate of Restoration of Opportunity-Created under Second Engrossed Substitute House Bill 1553</p> <p>Change of Name-Petition for a change of name. If change is confidential due to domestic violence/anti-harassment see case type 5 instead.</p> <p>Deposit of Surplus Funds-Deposit of money or other item with the court.</p> <p>Emancipation of Minor-Petition by a minor for a declaration of emancipation.</p> <p>Injunction-Complaint/petition to require a person to do or refrain from doing a particular thing.</p> <p>Interpleader-Petition for the deposit of disputed earnest money from real estate, insurance proceeds, and/or other transaction(s).</p> <p>Malicious Harassment-Suit involving damages resulting from malicious harassment.</p> <p>Minor Settlements-Petition for a court decision that an award to a minor is appropriate when no letters of guardianship are required (e.g., net settlement value \$25,000 or less).</p> <p>Petition for Civil Commitment (Sexual Predator)-Petition for the involuntary civil commitment of a person who 1) has been convicted of a sexually violent offense whose term of confinement is about to expire or has expired, 2) has been charged with a sexually violent offense and who has been determined to be incompetent to stand trial who is about to be released or has been released, or 3) has been found not guilty by reason of insanity of a sexually violent offense and who is about to be released or has been released, and it appears that the person may be a sexually violent predator.</p> <p>Property Damage-Gangs-Complaint involving damage to property</p>	<p>TORT, NON-MOTOR VEHICLE</p> <p>Asbestos-Complaint alleging injury resulting from asbestos exposure.</p> <p>Other Malpractice-Complaint involving injury resulting from other than professional medical treatment.</p> <p>Personal Injury-Complaint involving physical injury not resulting from professional medical treatment, and where a motor vehicle is not involved.</p> <p>Products Liability-Complaint involving injury resulting from a commercial product.</p> <p>Property Damages-Complaint involving damage to real or personal property excluding motor vehicles.</p> <p>Victims of Motor Vehicle Theft-Complaint filed by a victim of car theft to recover damages. (RCW 9A.56.078)</p> <p>Wrongful Death-Complaint involving death resulting from other than professional medical treatment.</p> <p>WRIT</p> <p>Writ of Habeas Corpus-Petition for a writ to bring a party before the court.</p> <p>Writ of Mandamus-Petition for writ commanding performance of a particular act or duty.</p> <p>Writ of Restitution-Petition for a writ restoring property or proceeds; not an unlawful detainer petition.</p> <p>Writ of Review-Petition for review of the record or decision of a case pending in the lower court; does not include lower court appeals or administrative law reviews.</p> <p>Miscellaneous Writs</p>

Updated: 2/03/2017