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

JASON FOSHEE, an individual,
Plaintiff,

vs.

LOUIS F. KRAMP DMD, THERON D
EICHENBERGER DDS MSD, P.S.,
a Washington professional service
corporation,
Defendant.

NO. 26-2-13914-8 SEA

COMPLAINT FOR VIOLATIONS
OF CHAPTER 70.02 RCW

Plaintiff Jason Foshee alleges as follows:

I. PARTIES

- 1.1 Plaintiff Jason Foshee is an individual residing in the State of Washington.
- 1.2 Defendant LOUIS F. KRAMP DMD, THERON D EICHENBERGER DDS MSD, PS is, on information and belief, a Washington professional service corporation doing business in King County, Washington, including at or through the endodontic/dental practice located in Redmond,

1 Washington, where Plaintiff received care and from which Plaintiff requested records relating to
2 that care.

3 1.3 Defendant is, and at all times relevant was, a health care provider, health care
4 facility, clinic, office, or other entity subject to chapter 70.02 RCW.

5 1.4 At all times relevant, Defendant acted through its officers, employees, agents,
6 apparent agents, attorneys, administrative staff, and other representatives communicating on its
7 behalf concerning Plaintiff's records request.

8 1.5 At all times relevant, Defendant maintained, controlled, possessed, had access to, or
9 had the legal duty to make available Plaintiff's recorded health care information and records
10 relating to his dental care.

11 II. JURISDICTION AND VENUE

12 2.1 This Court has subject matter jurisdiction over this action under Article IV, section 6
13 of the Washington Constitution and the laws of the State of Washington.

14 2.2 This action arises under chapter 70.02 RCW, including RCW 70.02.080, RCW
15 70.02.090, and RCW 70.02.170.

16 2.3 Venue is proper in King County because Defendant conducts business in King
17 County and because a substantial part of the events and omissions giving rise to this action
18 occurred in King County.

19 III. NATURE OF ACTION

20 3.1 This is an action arising from Defendant's failure to timely and fully comply with
21 Plaintiff's written requests to examine and copy his recorded health care information and patient
22 records.

23 3.2 Plaintiff seeks only the relief authorized by chapter 70.02 RCW, including an order
24 requiring compliance, actual damages as allowed by statute, and reasonable attorneys' fees
25 and other reasonable expenses reasonably incurred by the prevailing party.

26 3.3 Plaintiff does not seek consequential or incidental damages in this action.
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IV. FACTUAL ALLEGATIONS

4.1 On March 27, 2026, Plaintiff delivered a written records request to Redmond Endodontics.

4.2 That request sought access to and copies of Plaintiff's protected health information and related records maintained by Defendant.

4.3 The March 27, 2026 request expressly sought, among other things, all emails, email attachments, and other electronic communications sent to or received from Bridle Trails Dentistry, Dr. Russell Nomi, and Dr. Wes Nomi relating to Plaintiff's care, evaluation, diagnosis, referral, or treatment; all consultation-related communications, including any email opinion letters, drafts, attachments, embedded images, and written or informal responses from Defendant; all radiographic images received from any provider relating to Plaintiff's care; consultation notes, intake records, and internal documentation created in connection with any referral, request for opinion, evaluation, or consideration of treatment; metadata and transmission records, including dates and times sent and received, sender and recipient email addresses, subject lines, fax logs if applicable, and system transmission logs or message-tracking records; and internal notes or summaries within Defendant's office referencing Plaintiff's case, communications with Bridle Trails Dentistry, or diagnostic discussions.

4.4 The March 27, 2026 request also specifically targeted the September 24, 2025 chart entry from Bridle Trails Dentistry stating:

“Email opinion letter and PAX #24 to Redmond Endodontics to see if they would like to see patient or treat resorptive defective with observation.”

4.5 That targeted portion of the request specifically sought the referenced email opinion letter, all attachments including PAX #24, any response or communication from Defendant's office, and any internal documentation reflecting receipt, review, or consideration of that communication.

1 4.6 The March 27, 2026 request also asked Defendant to identify any responsive
2 records that did not exist, could not be located, or were no longer maintained, and to explain
3 their absence.

4 4.7 The March 27, 2026 request further asked Defendant that if any responsive materials
5 were withheld, Asked Defendant to identify with specificity each item or category withheld, the
6 basis for withholding, and the legal authority relied upon.

7 4.8 During a telephone call on April 9, 2026, at approximately 3:50 p.m., Haley, a staff
8 member at Redmond Endodontics, told Plaintiff that Redmond Endodontics had an email
9 referral from Dr. Nomi regarding Plaintiff dated September 24, 2025, that the email was in a
10 deleted folder, and that Haley confirmed the email concerned a resorptive defect on tooth #14.

11 4.9 On April 13, 2026, Defendant sent Plaintiff an email response regarding Plaintiff's
12 records request.

13 4.10 In that April 13, 2026 response, Defendant stated in substance that it had attached a
14 consultation report, communications to Plaintiff's email from Defendant's office, and imaging for
15 teeth #14 and #24.

16 4.11 The April 13, 2026 response further stated in substance that the x-rays and clinical
17 image were received via correspondence with Bridle Trails Family Dentistry on October 13,
18 2025.

19 4.12 Defendant also included consultation notes dated October 15, 2025.

20 4.13 Defendant's April 13, 2026 response therefore acknowledged and relied upon an
21 October 13, 2025 referral sequence and correspondence.

22 4.14 Separately, Defendant's October 13, 2025 letter to Plaintiff stated: "**We just**
23 **received Dr. Nomi's referral via email,**" and further stated that Dr. Nomi wanted Defendant to
24 also look at tooth #24.

25 4.15 Despite those statements, Defendant did not produce the actual October 13, 2025
26 referral email itself.

1 4.16 Defendant also did not produce all attachments to the October 13, 2025 referral
2 email, any embedded images, or any metadata, transmission logs, or message-tracking records
3 sufficient to show when that referral email was sent, received, reviewed, or stored.

4 4.17 Defendant's April 13, 2026 response likewise did not produce any September 24,
5 2025 referral email, email opinion letter, attachment, intake notation, internal note, transmission
6 record, deleted-item record, archived message, or other correspondence responsive to
7 Plaintiff's specifically identified September 24 request.

8 4.18 Defendant's April 13, 2026 response did not state that the September 24, 2025
9 communication did not exist.

10 4.19 Defendant's April 13, 2026 response did not state that the requested September 24,
11 2025 communication could not be found.

12 4.20 Defendant's April 13, 2026 response did not state that the requested September 24,
13 2025 communication had been deleted, archived, or was no longer maintained.

14 4.21 Defendant's April 13, 2026 response did not state that another provider maintained
15 the requested September 24, 2025 communication.

16 4.22 Defendant's April 13, 2026 response did not state that the October 13, 2025 referral
17 email, attachments, or related transmission records did not exist, could not be found, were no
18 longer maintained, or were maintained elsewhere.

19 4.23 Defendant's April 13, 2026 response did not issue a written delay notice identifying
20 unusual circumstances, reasons for delay, or the earliest date when the information would be
21 made available or the request otherwise disposed of.

22 4.24 Defendant's April 13, 2026 response did not issue a denial under RCW 70.02.090.

23 4.25 On April 14, 2026, Plaintiff hand delivered a supplemental follow-up letter to
24 Defendant.

25 4.26 In the April 14, 2026 follow-up, Plaintiff expressly pointed out that Defendant had not
26 addressed the specific September 24, 2025 communication identified in the original request.

1 4.27 Plaintiff also expressly pointed out that Defendant had stated the x-rays and clinical
2 image were received via correspondence with Bridle Trails Family Dentistry on October 13,
3 2025, but had not produced the actual October 13 correspondence itself, including the referral
4 email, attachments, or associated transmission records.

5 4.28 In that follow-up, Plaintiff specifically requested that Defendant confirm, deny, or
6 clarify whether Defendant located any September 24, 2025 communication from Bridle Trails
7 Dentistry, Dr. Russell Nomi, or Dr. Wes Nomi relating to Plaintiff, tooth #14, tooth #24, a
8 resorptive defect, or any request for opinion, consultation, or referral.

9 4.29 Plaintiff further requested that Defendant state explicitly if no such September 24
10 communication was located; identify whether any such records once existed but no longer
11 existed, could not be located, were deleted, archived, or were otherwise unavailable; state
12 whether Haley's April 9, 2026 statement about a September 24 email referral in a deleted folder
13 and referencing a resorptive defect was mistaken, inaccurate, or based on misunderstanding,
14 and if not, identify the record she was referring to and its current status; and state whether
15 Defendant's search included active email, archived email, deleted items, internal notes, intake
16 records, message logs, attachment records, and other systems reasonably likely to contain
17 responsive records.

18 4.30 Plaintiff separately requested that Defendant state whether its records showed that
19 Dr. Nomi's referral email was first received on October 13, 2025, rather than earlier.

20 4.31 Plaintiff also specifically requested production of any September 24, 2025 referral,
21 email, attachment, intake notation, internal note, transmission record, deleted-item record,
22 archived message, or other correspondence responsive to the request.

23 4.32 Plaintiff further requested metadata, transmission logs, message-tracking records, or
24 other system records sufficient to show whether communications from Bridle Trails were sent to,
25 received by, reviewed by, or stored by Defendant on or about September 24, 2025.
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1 4.33 Plaintiff also requested the October 13, 2025 correspondence referenced in
2 Defendant's response, including the referral email itself, all attachments, embedded images,
3 and metadata or transmission records sufficient to show when it was sent, received, and
4 reviewed.

5 4.34 The April 14, 2026 follow-up also asked Defendant, that for any responsive record
6 not produced, to identify whether it was being withheld, could not be located, was no longer
7 maintained, or was not being treated as part of the responsive record set, and to state the legal
8 basis for withholding or failing to produce it.

9 4.35 Plaintiff's March 27, 2026 written request was received by Defendant on March 27,
10 2026.

11 4.36 Fifteen working days after March 27, 2026 fell on April 17, 2026.

12 4.37 By that deadline, Defendant had not fully complied with Plaintiff's written request and
13 had not otherwise lawfully disposed of it as chapter 70.02 RCW requires.

14 4.38 Defendant's partial production did not satisfy its statutory duties as to the specifically
15 requested referral communications, including the September 24, 2025 referral email specifically
16 referenced by Haley during the April 9, 2026 telephone call, the October 13, 2025 referral email
17 expressly referenced in Defendant's own correspondence, any related attachments, and any
18 related metadata, headers, transmission records, delivery records, audit data, access logs,
19 deletion records, or other electronically stored information necessary to identify whether those
20 communications existed, when they were created, sent, received, modified, accessed, deleted,
21 retained, or maintained elsewhere. Defendant may not render this action moot merely by
22 producing selected records while withholding, omitting, or failing to lawfully account for the
23 underlying referral communications and the electronic data necessary to verify them.

24 4.39 This action centers on two specifically requested referral communications between
25 Bridle Trails Dentistry and Redmond Endodontics: the purported September 24, 2025 referral
26 communication and the October 13, 2025 referral communication. Plaintiff specifically requested
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1 both communications. Defendant did not produce either communication, any related patient-
2 identifying attachments, or any related metadata, headers, transmission records, delivery
3 records, receipt records, deletion records, audit data, access logs, or other electronically stored
4 information directly relating to Plaintiff's care or necessary to verify whether those
5 communications existed, when they were created, sent, received, accessed, modified, deleted,
6 retained, or maintained elsewhere. Defendant also did not lawfully state whether either
7 requested referral communication did not exist, could not be found, had been deleted, or was
8 maintained by another person or entity.

9 4.40 The September 24, 2025 chart entry states:

10 **“Email opinion letter and PAX #24 to Redmond Endodontics to see if they**
11 **would like to see patient or treat resorptive defective with observation.”**

12 4.41 That chart entry is material because it places the purported September 24 referral
13 communication directly at issue. The chart entry does not merely refer generally to Plaintiff's
14 dental condition; it represents that a referral communication existed on or about September 24,
15 2025. The requested September 24 referral communication, together with its attachments,
16 metadata, headers, transmission records, delivery records, receipt records, deletion records,
17 audit data, and access logs, is therefore necessary to determine whether the referral was
18 actually created, sent, received, maintained, deleted, altered, or later reconstructed as
19 represented.

20 4.42 The omission is especially significant because, during the April 9, 2026 telephone
21 call, Haley told Plaintiff that Defendant had a September 24, 2025 referral email from Dr. Nomi
22 in a deleted folder and stated in substance that the email related to a resorptive defect on tooth
23 #14. Defendant therefore cannot satisfy its statutory duties by producing selected records while
24 withholding or failing to lawfully account for the very referral email its own staff specifically
25 identified, together with the related attachments, metadata, headers, transmission records,
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1 delivery records, receipt records, deletion records, audit data, access logs, and other electronic
2 records necessary to verify it.

3 4.43 That silence is material. The September 24, 2025 referral communication is the
4 hinge record. It is the specific communication that would show whether the purported
5 September 24 referral actually existed, when it was created, when it was sent or received, what
6 it stated, what was attached to it, and whether it was contemporaneously maintained in
7 Defendant's records. Yet after targeted written requests, Defendant did not produce that
8 communication and did not lawfully account for its absence. At the same time, the record
9 reflects a separate October 13, 2025 referral sequence concerning the same subject matter.
10 Those facts do not fit together naturally without the underlying communications and electronic
11 records. If a genuine September 24 referral communication had actually been created, sent,
12 received, and maintained as represented, the later October 13 referral sequence should be
13 capable of straightforward explanation through production of the emails, attachments, metadata,
14 headers, transmission records, delivery records, receipt records, deletion records, audit data,
15 and access logs. Defendant provided none of that.

16 4.44 On information and belief, Defendant's refusal to produce or lawfully account for the
17 September 24, 2025 and October 13, 2025 referral communications, together with the absence
18 of the underlying electronic records necessary to verify them, supports the reasonable inference
19 that the September 24 referral representation was not contemporaneously created, sent,
20 received, or maintained as represented, and may have been added, revised, supplemented, or
21 altered after the fact. It further supports the reasonable inference that the October 13 referral
22 communication contains materially significant patient-identifying information Defendant does not
23 want disclosed.

24 4.45 As of the filing of this action, Defendant still has not produced or lawfully accounted
25 for specifically requested patient-identifying health care information and patient records,
26 including the September 24, 2025 referral communication and the October 13, 2025 referral
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1 communication between Bridle Trails Dentistry and Redmond Endodontics. Those requested
2 records include the referral communications themselves, any related patient-identifying
3 attachments, and any related metadata, headers, transmission records, delivery records, receipt
4 records, deletion records, audit data, access logs, or other electronically stored information
5 directly relating to Plaintiff's care or necessary to determine whether those referral
6 communications existed, when they were created, sent, received, accessed, modified, deleted,
7 retained, or maintained elsewhere.

8 4.46 Plaintiff complied with chapter 70.02 RCW by making written requests to examine
9 and copy his health care information and patient records. Those requests triggered Defendant's
10 statutory duties to make the requested information available, to lawfully account for requested
11 records that did not exist, could not be found, or were maintained elsewhere, or to issue a lawful
12 written delay notice or denial. Defendant's partial, incomplete, and unexplained production did
13 not satisfy those duties.

14
15 **V. FIRST CAUSE OF ACTION**

16 **Failure to Make Requested Health Care Information Available**

17 **or Otherwise Lawfully Dispose of the Request**

18 **(RCW 70.02.080 and RCW 70.02.170)**

19 5.1 Plaintiff re-alleges and incorporates herein all preceding allegations as if fully set
20 forth.

21 5.2 Plaintiff complied with chapter 70.02 RCW by making written requests to examine
22 and copy his recorded health care information and patient records, identifying the records
23 sought with reasonable specificity.

24 5.3 Upon receipt of Plaintiff's written requests, Defendant was required, as promptly as
25 required under the circumstances, but no later than fifteen working days after receiving the
26 request, to make the requested information available for examination and copying, to otherwise
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1 lawfully dispose of the request as provided by RCW 70.02.080, or to respond in one of the
2 statutorily authorized ways.

3 5.4 More than fifteen working days passed after Plaintiff's written requests, yet
4 Defendant did not make all requested health care information available for examination and
5 copying and did not otherwise lawfully dispose of the requests.

6 5.5 As of the filing of this action, Defendant still has not produced or lawfully accounted
7 for specifically requested patient-identifying health care information and patient records,
8 including the September 24, 2025 referral communication between Bridle Trails Dentistry and
9 Redmond Endodontics, the October 13, 2025 referral communication between Bridle Trails
10 Dentistry and Redmond Endodontics, the referral emails themselves, any related patient-
11 identifying attachments, and any related metadata, headers, transmission records, delivery
12 records, receipt records, deletion records, audit data, access logs, or other electronically stored
13 information directly relating to Plaintiff's care or necessary to determine whether those referral
14 communications existed, when they were created, sent, received, accessed, modified, deleted,
15 retained, or maintained elsewhere.

16 5.6 Defendant instead provided only a partial response while leaving those specifically
17 requested records and categories unresolved.

18 5.7 Through the foregoing acts and omissions, Defendant failed to make requested
19 health care information available as required by RCW 70.02.080 and failed to otherwise lawfully
20 dispose of Plaintiff's requests.

21 5.8 Plaintiff is entitled to relief under RCW 70.02.170, including an order requiring
22 compliance, actual damages as permitted by statute, and reasonable attorneys' fees and other
23 reasonable expenses reasonably incurred by the prevailing party.
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VI. SECOND CAUSE OF ACTION

**Failure to Inform Plaintiff Whether Requested Records Did Not Exist,
Could Not Be Found, or Were Maintained Elsewhere
(RCW 70.02.080(1)(b), RCW 70.02.080(1)(c), and RCW 70.02.170)**

6.1 Plaintiff re-alleges and incorporates by reference all preceding allegations as though fully set forth herein.

6.2 RCW 70.02.080 required Defendant, within the statutory response period, to inform Plaintiff if requested health care information did not exist or could not be found and, if Defendant did not maintain a record of the requested information, to inform Plaintiff and provide the name and address, if known, of the health care provider or other person who maintained the record.

6.3 Plaintiff's written requests and follow-up correspondence specifically identified records that appeared to be missing, including the September 24, 2025 referral communication between Bridle Trails Dentistry and Redmond Endodontics, the October 13, 2025 referral communication between Bridle Trails Dentistry and Redmond Endodontics, the referral emails themselves, any related patient-identifying attachments, and any related metadata, headers, transmission records, delivery records, receipt records, deletion records, audit data, access logs, or other electronically stored information directly relating to Plaintiff's care or necessary to determine whether those referral communications existed, when they were created, sent, received, accessed, modified, deleted, retained, or maintained elsewhere.

6.4 Plaintiff's April 14, 2026 follow-up expressly requested confirmation whether specifically requested unproduced records existed, could be found, had been deleted, or were maintained elsewhere.

6.5 Defendant did not inform Plaintiff that the specifically requested records did not exist.

6.6 Defendant did not inform Plaintiff that the specifically requested records could not be found.

1 6.7 Defendant did not inform Plaintiff that any specifically requested records had been
2 deleted, retained in deleted-item storage, archived, or otherwise maintained in a different
3 location or system.

4 6.8 Defendant did not inform Plaintiff that any specifically requested records were
5 maintained by another provider, custodian, person, or entity, nor did Defendant provide the
6 name and address, if known, of any such provider, custodian, person, or entity.

7 6.9 Defendant instead left Plaintiff with a partial production and no lawful explanation of
8 whether the specifically requested unproduced records existed, were missing, had been
9 deleted, were retained elsewhere, or were maintained by another provider, custodian, person, or
10 entity.

11 6.10 Through the foregoing acts and omissions, Defendant failed to comply with RCW
12 70.02.080(1)(b) and RCW 70.02.080(1)(c).

13 6.11 Plaintiff is entitled to relief under RCW 70.02.170, including an order requiring
14 compliance, actual damages as permitted by statute, and reasonable attorneys' fees and other
15 reasonable expenses reasonably incurred by the prevailing party.

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17 **VII. THIRD CAUSE OF ACTION**

18 **Failure to Issue a Lawful Written Delay Notice or Lawful Denial**

19 **(RCW 70.02.080(1)(d), RCW 70.02.080(1)(e), RCW 70.02.090, and RCW 70.02.170)**

20 7.1 Plaintiff re-alleges and incorporates by reference all preceding allegations as though
21 fully set forth herein.

22 7.2 If the requested information was in use or unusual circumstances delayed handling
23 the request, RCW 70.02.080(1)(d) required Defendant to inform Plaintiff in writing of the reasons
24 for the delay and the earliest date, not later than twenty-one working days after receiving the
25 request, when the information would be available for examination or copying or when the
26 request would otherwise be disposed of.

1 7.3 If Defendant was denying the request, in whole or in part, RCW 70.02.080(1)(e)
2 required Defendant to deny the request under RCW 70.02.090 and inform Plaintiff.

3 7.4 Defendant did not provide Plaintiff with any lawful written delay notice stating the
4 reasons for delay and the earliest date, not later than twenty-one working days after receipt,
5 when the requested information would be made available or the request would otherwise be
6 disposed of.

7 7.5 Defendant did not deny Plaintiff's requests, in whole or in part, on any ground
8 authorized by RCW 70.02.090.

9 7.6 Defendant did not inform Plaintiff that any denial was being made under RCW
10 70.02.090.

11 7.7 Defendant did not issue any lawful written delay notice or lawful denial as to the
12 specifically requested September 24, 2025 referral communication between Bridle Trails
13 Dentistry and Redmond Endodontics, the October 13, 2025 referral communication between
14 Bridle Trails Dentistry and Redmond Endodontics, the referral emails themselves, any related
15 patient-identifying attachments, and any related metadata, headers, transmission records,
16 delivery records, receipt records, deletion records, audit data, access logs, or other
17 electronically stored information directly relating to Plaintiff's care or necessary to determine
18 whether those referral communications existed, when they were created, sent, received,
19 accessed, modified, deleted, retained, or maintained elsewhere.

20 7.8 Defendant's partial response did not constitute a lawful written delay notice or a
21 lawful denial under chapter 70.02 RCW; it did not state the reasons for any delay, identify the
22 earliest date by which the requested information would be made available or the request would
23 otherwise be disposed of, deny the request on any ground authorized by RCW 70.02.090, or
24 inform Plaintiff that any denial was being made under RCW 70.02.090.

25 7.9 Through the foregoing acts and omissions, Defendant failed to comply with RCW
26 70.02.080(1)(d), RCW 70.02.080(1)(e), and RCW 70.02.090.

1 7.10 Plaintiff is entitled to relief under RCW 70.02.170, including an order requiring
2 compliance, actual damages as permitted by statute, and reasonable attorneys' fees and other
3 reasonable expenses reasonably incurred by the prevailing party.

4 **VIII. PRAYER FOR RELIEF**

5 WHEREFORE, Plaintiff respectfully requests judgment against Defendant as follows:

6 8.1 For an order requiring Defendant to comply fully with chapter 70.02 RCW and to
7 make available for examination and copying all responsive recorded health care information and
8 patient records to which Plaintiff is entitled, including the specific records identified in this
9 Complaint that remain withheld or unaccounted for;

10 8.2 For a determination that Defendant violated RCW 70.02.080, RCW 70.02.090, and
11 RCW 70.02.170 as alleged herein;

12 8.3 For actual damages as permitted by RCW 70.02.170, excluding consequential and
13 incidental damages;

14 8.4 For reasonable attorneys' fees and all other expenses reasonably incurred by the
15 prevailing party, as permitted by RCW 70.02.170;

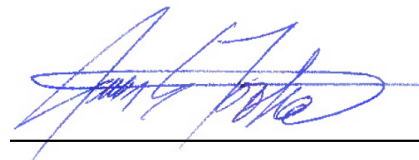
16 8.5 For costs and other recoverable expenses allowed by law;

17 8.6 For such other and further relief as the Court deems just and proper and consistent
18 with chapter 70.02 RCW.

19 **IX. JURY DEMAND**

20 9.1 Plaintiff demands a trial by jury on all issues so triable.

21 DATED this 28th day of April, 2026.

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25 Jason Foshee

26 Plaintiff, Pro Se

EXHIBIT A

Jason Foshee
12210 NE 65th Street
Kirkland WA 98033

Friday, March 27th, 2026

Hand delivered on March 27th, 2026

Redmond Endodontics
8575 164th Ave NE #301
Redmond, WA 98052

Re: HIPAA Request for Records – Jason Foshee / 02-15-1965

Dear Dr. Nasry and Redmond Endodontics,

I am requesting access to and copies of my protected health information maintained by Redmond Endodontics pursuant to the Health Insurance Portability and Accountability Act (HIPAA), 45 C.F.R. § 164.524, as well as applicable Washington State law.

This request includes all records, communications, and materials relating in any way to my care, evaluation, diagnosis, or potential treatment.

Requested Records

Please provide the following records in your possession, custody, or control:

1. All Communications (Broad Request)
All emails, email attachments, or other electronic communications sent to or received from:
 - Bridle Trails Dentistry
 - Dr. Russel Nomi
 - Dr. Wes Nomi

Relating in any way to my care, evaluation, diagnosis, or potential referral or treatment, without limitation as to date.

2. Email Opinion / Consultation Materials
All consultation-related communications, including but not limited to:
 - Any email opinion letters
 - Drafts, attachments, or embedded images
 - Any written or informal responses provided by your office

3. Radiographs / Imaging

All radiographic images received from any provider relating to my care, including but not limited to:

- PAX images
- Any images transmitted for consultation purposes

Please include original, uncompressed formats where available.

4. Consultation / Referral Records

Any consultation notes, intake records, or internal documentation created in connection with:

- Any referral (formal or informal)
- Any request for opinion
- Any evaluation or consideration of treatment

5. Metadata and Transmission Records

For any communications described above, please include:

- Dates and times sent and received
- Sender and recipient email addresses
- Subject lines
- Fax logs, if applicable
- Any system transmission logs or message tracking records

6. Internal Notes or Summaries

Any internal notes, annotations, or communications within your office referencing:

- My case
- Any communication with Bridle Trails Dentistry
- Any diagnostic discussion (including but not limited to resorptive defects)

7. **Specific September 24, 2025 Communication (Targeted Request)**

Without limiting the scope of the above request, this specifically includes all communications and records associated with the September 24, 2025 chart entry from Bridle Trails Dentistry, which states:

“Email opinion letter and PAX #24 to Redmond Endodontics to see if they would like to see patient or treat resorptive defect ... Russ Nomi.”

This includes:

- The referenced email opinion letter
- All attachments, including PAX #24
- Any response or communication from your office
- Any internal documentation reflecting receipt, review, or consideration of that communication

Jason Foshee
12210 NE 65th Street
Kirkland WA 98033

Completeness of Response

If any responsive records do not exist, cannot be located, or are no longer maintained, please identify those records and provide an explanation for their absence.

Litigation-Aware Notice

This request relates to matters that may become the subject of formal proceedings. Accordingly, please ensure that all potentially responsive records, including emails, attachments, imaging, and associated metadata, are preserved and that reasonable efforts are made to conduct a thorough search of all systems, including active, archived, and backup sources.

Revocation of Authorization for Disclosure

Effective immediately, I hereby revoke any prior authorization, consent, or permission—whether express or implied—for the disclosure, discussion, or sharing of my protected health information by Redmond Endodontics.

Redmond Endodontics is not authorized to disclose, discuss, or share my medical or dental records with Bridle Trails Dentistry, Dr. Russel Nomi, Dr. Wes Nomi, or any other third party, except as expressly required or permitted by law.

This revocation applies to all forms of communication, including but not limited to verbal discussions, emails, written correspondence, and electronic transmissions.

To the extent my records were previously shared or discussed, no further disclosures are authorized.

This revocation does not restrict disclosures required for treatment, payment, or healthcare operations to the extent permitted by law, nor does it restrict disclosures made directly to me in response to this request.

Please ensure that all staff and agents are made aware of and comply with this revocation.

Format of Production

I request that records be provided in electronic format (PDF or native format where applicable). Radiographic images should be provided in their original diagnostic format if available.

Production Deadline and Response Requirements

I request that all responsive materials be produced within fifteen (15) calendar days of this correspondence.

To the extent additional time is required pursuant to HIPAA’s 30-day response period, you must provide written notice within the initial fifteen (15) day period identifying the specific reason for the delay and the anticipated date of full production.

If any portion of the requested materials is withheld, you must identify with specificity each item or category withheld, the basis for withholding, and the legal authority relied upon. General or blanket objections will not be considered sufficient.

Failure to comply with these requirements will be documented and may be relied upon in support of claims relating to noncompliance, withholding of records, spoliation of evidence, and related evidentiary inferences, particularly where responsive materials were not preserved or produced as required.

Authorization

I am the patient to whom these records relate. A copy of my identification can be provided upon request.

Thank you for your prompt attention to this matter.

Sincerely,

Jason Foshee

Recipient Acknowledgment of Hand Delivery

I acknowledge receipt of this correspondence and accompanying materials on behalf of the practice.

Printed Name: _____

Title/Position: _____

Signature: _____

Date: _____

Time: _____

EXHIBIT B

Jason Foshee
12210 NE 65th Street
Kirkland WA 98033

Tuesday, April 14, 2026

Hand delivered on April 14, 2026

Redmond Endodontics
8575 164th Ave NE #301
Redmond, WA 98052

Re: Supplemental Follow-Up to HIPAA Records Request – Jason Foshee / 02-15-1965

Dear Dr. Nasry and Redmond Endodontics,

I am writing regarding your recent email response to my HIPAA records request.

Your response provided materials relating to the October 13, 2025 referral sequence, including consultation-related records, imaging, and the statement that “the x-rays and clinical image were received via correspondence with Bridle Trails Family Dentistry on 10-13-2025.” However, your response did not address the specific September 24, 2025 communication that I expressly identified in my request.

Your response also states that “the x-rays and clinical image were received via correspondence with Bridle Trails Family Dentistry on 10-13-2025,” yet you did not produce the actual October 13, 2025 correspondence itself, including the referral email, attachments, or associated transmission records. Redmond Endodontics has expressly referenced October 13, 2025 correspondence, and its own October 13, 2025 letter to me states: “We just received Dr. Nomi’s referral via email.” Yet that responsive email was not produced. If Redmond Endodontics is not producing that October 13 correspondence (email), please state that expressly in writing, identify whether it is being withheld, cannot be located, is no longer maintained, or is not being treated as part of the responsive record set, and state the legal basis for withholding or failing to produce it.

My original request specifically sought all communications and records associated with the September 24, 2025 Bridle Trails chart entry stating:

“Email opinion letter and PAX #24 to Redmond Endodontics to see if they would like to see patient or treat resorptive defect ... Russ Nomi.”

That targeted request expressly included:

- the referenced email opinion letter,
- all attachments, including PAX #24,
- any response or communication from your office, and
- any internal documentation reflecting receipt, review, or consideration of that communication.

That omission is particularly notable because during a telephone conversation with Haley, one of your staff, on Thursday, April 9, 2026, at 3:50 p.m., I was specifically told that Redmond Endodontics had an email referral from Dr. Nomi regarding me dated 09/24, and that it was in a deleted folder.

Your response did not produce any September 24, 2025 referral, email, attachment, intake notation, internal note, transmission record, deleted-item record, archived message, or other correspondence responsive to that targeted request. Nor did your response state that no such records exist, cannot be located, were deleted, or are no longer maintained.

That omission leaves your production incomplete and nonresponsive as to a specifically identified category of records.

Accordingly, please supplement your response by responding fully to each of the following requests and questions, clearly, separately, and in corresponding numbered order:

A. Confirm, Deny, or Clarify

1. Did Redmond Endodontics locate any record of any communication from Bridle Trails Family Dentistry, Dr. Russell Nomi, or Dr. Wes Nomi on or about September 24, 2025 relating to me, tooth #14, tooth #24, a resorptive defect, or any request for opinion, consultation, or referral?
2. If your office did not locate any such September 24, 2025 communication, please state that explicitly in writing.
3. If such records once existed but no longer exist, cannot be located, were deleted, were archived, or are otherwise unavailable, please identify that fact expressly and describe the reason for their absence.
4. If Redmond Endodontics contends that the statement made to me by Haley on April 9, 2026, that your office had an email referral from Dr. Nomi dated 09/24 in a deleted folder was mistaken, inaccurate, or based on a misunderstanding, please state that expressly in writing. If not, please identify the record she was referring to and its current status.
5. State whether your search included active email, archived email, deleted items, internal notes, intake records, message logs, attachment records, and any other systems reasonably likely to contain responsive records.
6. State whether Redmond Endodontics' records reflect that Dr. Nomi's referral email was first received on October 13, 2025, and not earlier.

B. Produce Responsive Records

7. Produce any September 24, 2025 referral, email, attachment, intake notation, internal note, transmission record, deleted-item record, archived message, or other correspondence responsive to my request.
8. Produce any metadata, transmission logs, message tracking records, or other system records sufficient to show whether any communication from Bridle Trails was sent to, received by, reviewed by, or stored by your office on or about September 24, 2025.
9. Produce the October 13, 2025 correspondence referenced in your response, including the referral email itself, all attachments, any embedded images, and any metadata, transmission records, or message tracking records sufficient to show when it was sent, received, and reviewed.

Jason Foshee
12210 NE 65th Street
Kirkland WA 98033

C. If You Are Withhold or Not Producing Anything

10. For any responsive record not produced, identify whether it is being withheld, cannot be located, is no longer maintained, or is not being treated as part of the responsive record set, and state the legal basis for withholding or failing to produce it.

This is a narrow follow-up directed to specific omissions in your response. I am not asking for argument. I am asking for a clear records answer and response.

Please treat this as a final opportunity to cure the deficiencies in your response. Washington law requires a health care provider, upon written request, to make requested health care information available for examination and provide copies no later than fifteen working days after receipt, absent a lawful basis for denial. If Redmond Endodontics continues to withhold responsive records, fails to identify what is being withheld and why, or fails to clarify whether responsive records exist, do not exist, cannot be located, were deleted, or are no longer maintained, I will consider all available remedies, including relief under RCW 70.02.170 to compel compliance and recover any relief authorized by law, in addition to any other available state or federal remedies.

For the avoidance of doubt, and in light of the inconsistencies described above, I hereby reiterate and broaden my prior written revocation of any authorization, consent, or permission, whether express or implied, for Redmond Endodontics, its staff, agents, vendors, or any third parties acting on its behalf, to disclose, discuss, or share my protected health information with any person or entity other than me, except as expressly required or permitted by law.

Please also ensure that all potentially responsive records remain preserved, including active, archived, and deleted emails, attachments, imaging, internal notes, message logs, and any associated metadata or transmission records.

Please provide your supplemental response in writing within seven (7) calendar days.

Sincerely,

Jason Foshee

I acknowledge receipt of this correspondence and accompanying materials on behalf of the practice.

Printed Name: _____ Date: _____

Title/Position: _____ Time: _____

Signature: _____