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SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

BALKRISHNA HEROOR, an individual,

Plaintiff,

v.

DEBBIE HAEYUNG CHA, an individual,

Defendant.

NO. 25-2-23311-1 SEA

MOTION FOR SERVICE BY  
PUBLICATION

**I. RELIEF REQUESTED**

COMES NOW, Plaintiff Balkrishna Heroor (“Plaintiff”), through his undersigned counsel of record, and moves the Court for an order allowing service of the summons and complaint on Defendant Debbie Haeyung Cha (“Defendant”) by publication.

**II. STATEMENT OF FACTS**

On August 12, 2025, Plaintiff filed his Complaint for Breach of Contract against Defendant Cha for failure to repay a personal loan. (Dkt. 1.) Upon information and belief, Defendant resides in a controlled-access building in Bell Town, Seattle. Plaintiff made multiple attempts to personally serve Defendant throughout the month of August, including several “stake-outs,” a successful attempt on the wrong person, an attempt by using the ruse of delivering flowers to Defendant, and a refusal by the condominium’s concierge to confirm whether or not Defendant resided there or to allow the server to deliver the papers to Defendant’s unit, as described in five Declarations of Attempted Service. (Declaration of Adam R. Asher (“Asher Decl.”), ¶ 4 and ¶¶ 5-9, Exs. A-E, Declarations of Attempted Service.)

1 Although exhaustive attempts were made, the process servicer was unable to effect personal  
2 service on Defendant. (*Id.* ¶ 10.) Additionally, undersigned counsel has been unable to  
3 identify an alternate residence for Defendant, either in or outside Washington state. (*Id.* at  
4 ¶ 11.) On September 16, 2025, Plaintiff's counsel mailed true and correct copies of the filed  
5 Complaint, Summons, Case Information Cover Sheet, and Order Setting Case Schedule to  
6 Defendant at her last known address by regular first class mail and certified mail, return receipt  
7 requested. (*Id.* at ¶ 12.)

8 Plaintiff now brings this motion for service by publication pursuant to RCW 4.28.100.

### 9 III. ISSUE PRESENTED

10 Whether the Court should enter an order for service by publication when Plaintiff has  
11 been unable to effect service of process on Defendant after a reasonable and diligent effort to  
12 do so.

### 13 IV. EVIDENCE RELIED UPON

14 This motion is based upon the pleadings and record herein and on the Declaration of  
15 Adam R. Asher, with attached exhibits, and Declaration of Balkrishna Heroor.

### 16 V. ARGUMENT AND AUTHORITY

17 The circumstances that justify service by publication are set forth in RCW 4.28.100,  
18 which provides in pertinent part:

19 When the defendant cannot be found within the state, and upon the filing of an  
20 affidavit of the plaintiff, his or her agent, or attorney, with the clerk of the court,  
21 stating that he or she believes that the defendant is not a resident of the state, **or**  
22 **cannot be found therein, and that he or she has deposited a copy of the**  
23 **summons and complaint in the post office, directed to the defendant at his**  
24 **or her place of residence**, unless it is stated in the affidavit that such residence  
25 is not known to the affiant, and **stating the existence of one of the cases**  
26 **hereinafter specified**, the service may be made by publication of the summons,  
27 by the plaintiff or his or her attorney in any of the following cases:

... .

(2) **When the defendant, being a resident of this state, has departed**  
**therefrom** with intent to defraud his or her creditors, **or to avoid the service**  
**of a summons, or keeps himself or herself concealed therein with like**  
**intent;**

(Emphasis added.)

1 Here, Plaintiff filed this lawsuit after Defendant failed to repay, or make payments  
2 against, a personal loan by Plaintiff to Defendant, as agreed to by the parties. Plaintiff has  
3 made multiple attempts to effect service of process on Defendant at her last known address  
4 without success, as detailed in five declarations of attempted service. Despite such reasonable  
5 diligence, Plaintiff has not been able to find Defendant for service.

6 Additionally, Plaintiff has mailed true and correct copies of the summons and  
7 complaint to Defendant.

8 Further, as demonstrated by the service declarations, Defendant has not returned many  
9 calls by the process server to schedule a time for service. This evidences that Defendant is  
10 actively trying to conceal herself from service. Therefore, the ground in RCW 4.28.100(2) is  
11 present.

12 For the foregoing reasons, all required elements for RCW 4.28.100 are satisfied, and  
13 Plaintiff requests an Order authorizing service by publication.

#### 14 VI. CONCLUSION

15 Based on the foregoing, Plaintiff respectfully requests that this Court allow service by  
16 publication on Defendant.

17 DATED this 17th day of September, 2025.

18 SOCIUS LAW GROUP, PLLC

19  
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