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6	STATE OF WASHINGTON KING COUNTY SUPERIOR COURT	
7	King countries	I EMOR COCKI
8	STATE OF WASHINGTON,	NO. 22-2-20064-2 SEA
9	Plaintiff, v.	ORDER FINDING DEFENDANTS FEDERAL WAY DISCOUNT GUNS,
10	FEDERAL WAY DISCOUNT GUNS, LLC, a Washington limited liability	LLC, AND MOHAMMED BAGHAI IN CONTEMPT AND SETTING REMEDIAL SANCTIONS
11	company; MOHAMMED BAGHAI, individually and as part of the marital	REMEDIAL SAINCTIONS
12	community comprised of MOHAMMED BAGHAI and ANNA	
13	L. BAGHAI,	
14	Defendants.	
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16	THIS MATTER came before the Court on the State's Motion for an Order of Contempt	
17	and Imposition of Remedial Sanctions and Civil Penalty against Defendants Federal Way	
18	Discount Guns, LLC, and Mohammed Baghai. The Court reviewed the State's Motion, the Third	
19	Declaration of Ben Carr in support of State's Mo	tion, the Defendants' Response, and the State's
20	Reply, as well as materials submitted by both parties and materials in the record, and being	
21	otherwise fully advised, the Court hereby enters the following Findings of Fact, Conclusions of	
22	Law, and Order:	
23	I. FINDINGS OF FACT	
24	1. Plaintiff is the Attorney General for the State of Washington (State).	
25	2. Defendant Federal Way Discount Guns, LLC, (FWDG) is a Washington Limited	
26	Liability Company located at 1401 South 324th	Street in Federal Way, WA, 98003-8476.

- 3. Defendant Mohammed Baghai is an individual residing in Mercer Island, Washington. He is the registered agent of FWDG, its governor, a sales representative, and exercises control over FWDG's functions.
- 4. The Attorney General has authority under RCW 19.86.080 to prevent and restrain violations of the Consumer Protection Act (CPA). The Attorney General has authority under RCW 9.41.375 to prevent and restrain the sales and distribution of large capacity magazines (LCMs) as defined under RCW 9.41.010(16).
- On January 6, 2023, the Court issued an order entitled FINDINGS OF FACT,
 CONCLUSIONS OF LAW, AND ORDER OF PRELIMINARY INJUNCTION (the "Preliminary Injunction Order").
- 6. The Preliminary Injunction Order required Defendants to securely store their LCMs and "prepare an inventory list detailing the make and model of each LCM in their possession," and required that the "inventory list shall be accompanied by a declaration from Defendant Baghai swearing to the accuracy and completeness of the inventory list, under penalty of perjury." (Dkt. #39, p. 8). The deadline for preparing this inventory list and accompanying declaration was January 27, 2023.
- 7. Defendants did not securely store all LCMs in their possession. Instead, Defendants returned all LCMs in their possession to third-party distributors.
- 8. Defendants did not prepare the inventory list or accompanying declaration.

 Defendants made no contemporaneous record of the details of their LCM returns.
- 9. The Preliminary Injunction Order also required Defendants to "provide reasonable advance notice to the State to allow the State (or any third-party designated by the State) to witness the making of the inventory list . . . or the return to any distributor or wholesaler of any LCM." (Dkt. #39, p. 8).
- 10. Defendants did not provide notice to the State before returning LCMs in Defendants' possession to distributors.

1	11. Although Defendants argue that that the Preliminary Injunction Order can	
2	reasonably construed as providing a 15-day "grace period," allowing for the return of LCMs	
3	vendors in lieu of storage and inventory, no such "grace period" can reasonably be construed	
4	apply to the notice requirement of the Preliminary Injunction Order. The Preliminary Injunction	
5	Order plainly requires Defendants to provide reasonable advance notice to the State to allow	
6	State to witness the return to any distributor or wholesaler of any LCM. Given the totality of	
7	circumstances, the Court finds that the Defendants' failure to provide notice to the State a	
8	allow the State to witness its return of LCMs to vendors were intentional violations of the	
9	Preliminary Injunction Order.	
10	12. Recreating an accurate account of the LCMs in Defendants' possession as of	
11	date of the Preliminary Injunction Order will be a difficult task. Defendants should shoulder	
12	cost of this difficult task.	
13	II. CONCLUSIONS OF LAW	
14	13. The Court has jurisdiction over the parties and the subject matter at issue in the subject matter at its subje	
15	case.	
16	14. Venue is proper in King County.	
17	15. The Preliminary Injunction Order was issued pursuant to CR 65 and RC	
18	ch. 19.86, the Consumer Protection Act.	
19	16. Defendants have violated the terms of the Preliminary Injunction Order.	
20	17. Defendants' violations of the Preliminary Injunction Order were knowing a	
21	intentional.	
22	18. The State has been harmed by Defendants' violations of the Prelimina	
23	Injunction Order.	
24	19. Defendants are in contempt of this Court.	
25	20. The Court has broad authority to order remedial sanctions. Doerr v. Del R	
26	Properties, Inc., 14 Wn.App.2d 1059 (2020).	

1	III. ORDER
2	It is therefore ORDERED that the State of Washington's' Motion for an Order of
3	Contempt and Imposition of Remedial Sanctions is GRANTED.
4	Defendants Federal Way Discount Guns, LLC, and Mohammed Baghai are each hereby
5	FOUND AND HELD to be in CONTEMPT OF COURT.
6	IT IS FURTHER ORDERED that Defendants shall pay for the State's attorneys' fees
7	and costs incurred in bringing and prosecuting this motion and taking the remedial steps
8	discussed below, with the final amount to be set by a further order after the conclusion of the
9	events set forth in this order;
10	IT IS FURTHER ORDERED that, within ten (10) calendar days of entry of this order,
11	Mr. Baghai shall provide the State with a sworn declaration identifying:
12	(a) The specific vendors to which he returned any LCM between January 6, 2023, and
13	January 27, 2023, as described in his January 27, 2023 declaration;
14	(b) The precise number of LCMs he returned to each vendor and the manner by which they
15	were returned;
16	(c) Any difference between that number of LCMs and the number of LCMs Defendants
17	possessed as of July 1, 2022, and December 6, 2022, respectively;
18	(d) The make and model of each LCM Mr. Baghai returned between January 6, 2023, and
19	January 27, 2023, and to whom he returned them;
20	(e) The date(s) upon which he returned the LCMs, and;
21	(f) Whether he transferred or disposed of any other LCMs following entry of the Court's
22	Order on January 6, 2023, and if so, to whom they were transferred and/or how he disposed
23	of them;
24	IT IS FURTHER ORDERED that, within twenty (20) calendar days of entry of this order,
25	Defendants shall retain an independent firm, selected or approved by the Attorney General or the
26	Court, to conduct a forensic audit of Defendants' (1) business records, (2) business and accounting

1	systems related to sales or inventory, and (3) warehouse or storage spaces, for the purpose of	
2	determining Defendants' inventory of LCMs as of (a) July 1, 2022, (b) December 6, 2022, and (c)	
3	January 6, 2023, and disposition of LCMs in their possession, custody or control, on or after those	
4	dates, pursuant to criteria and guidelines as determined by the Attorney General, with the results of	
5	such audit reported to both Defendants and the State;	
6	IT IS FURTHER ORDERED that all costs associated with the independent audit	
7	discussed in the preceding paragraph shall be borne entirely by Defendants;	
8	IT IS FURTHER ORDERED that Defendants shall pay to the State \$2,000 per day for	
9	each calendar day that Defendants fail to comply with the above remedial sanctions, after expiration	
10	of the applicable time periods set forth above.	
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15	IT IS SO ORDERED.	
16	DATED this 1st day of March, 2023.	
17	Electronic Signature Attached	
18	Electronic Signature Attached THE HONORABLE WYMAN YIP King County Superior Court	
19	King County Superior Court	
20	Presented by	
21	ROBERT W. FERGUSON Attorney General	
22	s/Ben Carr	
23	BEN CARR, WSBA #40778 Assistant Attorneys General	
24	Attorneys for Plaintiff State of Washington	
25		
26		

King County Superior Court Judicial Electronic Signature Page

Case Number: 22-2-20064-2

Case Title: STATE OF WASHINGTON VS FEDERAL WAY DISCOUNT

GUNS ET AL

Document Title: ORDER RE CONTEMPT AND REMEDIAL SANCTIONS

Signed By: Wyman Yip
Date: March 02, 2023

Judge: Wyman Yip

This document is signed in accordance with the provisions in GR 30.

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