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KING COUNTY
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CASE #: 26-2-24570-3 SEA

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING - SEATTLE

JANE DOE 1, an individual, on her own behalf
and on behalf of all similarly situated
individuals;

Plaintiffs,

vs.

THE POKÉMON COMPANY
INTERNATIONAL, INC., a foreign corporation,
and BEN TSAI and JANE DOE TSAI,
individually and on behalf of their marital
community,

Defendants.

NO.

COMPLAINT

Demand for Jury Trial

COMES NOW Plaintiffs, by and through their attorney Ashton K. Dennis of Washington Law Center and Darrell L. Cochran, Thomas B. Vertetis, and Alexander G. Dietz of Pfau Cochran Vertetis Amala PLLC, and brings causes of action against Defendants and allege the following:

I. INTRODUCTION

1. Nature of Case. This is a class action arising out of the secret and illicit video monitoring and taping of numerous victims, including the named Plaintiff, by Defendant The

Pokémon Company International, Inc. (“Pokémon Company”) employee Defendant Ben Tsai. The Pokémon Company employed Ben Tsai from 2017 through 2026, where he was Director of Engineering in its Bellevue, WA, location. The cameras were used to record video and images of individuals, including children, employees and members of the public, in various states of undress while they used the restroom.

2. Plaintiff, and the class she represents, are all members of a protected class under the Washington Law Against Discrimination, Chapter 49.60 RCW *et seq.* The Pokémon Company is strictly liable for damages caused by the secretive and illicit acts of voyeurism of its employee Ben Tsai under the Washington Law Against Discrimination, Chapter 49.60 RCW *et seq.*, because (1) such acts were done while Plaintiffs were utilizing a place of public accommodation, (2) such acts constitute acts that directly or indirectly resulted in distinction, restriction, and/or discrimination of the Plaintiffs by treating them in a manner different to the treatment provided to persons outside Plaintiffs' protected class, and (3) Plaintiffs' protected status was a substantial factor that caused the distinctive, restrictive, and/or discriminatory treatment of Plaintiffs.

3. The Pokémon Company knew or should have known about the dangers Tsai presented to Plaintiff and the class, but failed to take reasonable efforts to control him or to otherwise protect Plaintiffs from a known risk of harm. The voyeurism and resultant damages were the result of Defendant's failure to control Tsai and to otherwise protect Plaintiffs from his predatory behavior.

II. NATURE OF ACTION

4. Plaintiff is presenting a claim individually and on behalf of the following Class:

1 All women and girls who used the bathroom facilities at Pokémon Company from 2017 through
2 July, 25, 2026. The Class, and the claims asserted by the Class, may be modified and/or more
3 precisely defined as this action proceeds and develops.

4 5. The Class contains two subclasses of persons: (1) employees of Pokémon
5 Company who utilized its bathroom(s) and (2) members of the public who visited Pokémon
6 Company and utilized its bathroom(s). The Class will also contain subclasses of persons for
7 those who are confirmed to have been video recorded and those persons who

8 6. By this action, Plaintiff seeks to recover damages on behalf of herself and the
9 Class she represents.

10 III. PARTIES

11 7. Plaintiff Jane Doe: At all times material, Plaintiff Jane Doe was an employee at
12 Pokémon Company where she was illegally and illicitly video recorded while using the
13 bathroom. Plaintiff, as a victim of voyeurism, will make her identity known to the parties and
14 Court. Plaintiff Jane Doe presently resides in Renton, Washington.

15 8. Defendant Pokémon Company is a foreign for profit corporation incorporated in
16 the State of Delaware, but with its principal place of business in Bellevue, Washington.

17 9. Defendant Ben Tsai, at all times material, was a resident of King County,
18 Washington and employed by Defendant Pokémon Company. Upon information and belief,
19 Defendant Jane Doe Tsai, was at all times married to Ben Tsai and part of their marital
20 community.

21 IV. JURISDICTION AND VENUE

22 10. Jurisdiction. Under article IV, section 6 of the Washington State Constitution, the

1 Superior Court, King County, has universal original jurisdiction over all parties in this lawsuit.

2 11. Venue. Venue is proper in King County under RCW 4.12.020 where
3 Defendants reside and where a substantial part of the events giving rise to the action occurred.

4 **V. FACTS**

5 12. In 2017, Pokémon Company hired Ben Tsai for employment and ultimately
6 appointed him to the supervisory role of Director of Engineering based in its Bellevue,
7 Washington, location.

8 13. Tsai as an employee, agent, and supervisor, for the Pokémon Company illegally
9 and illicitly placed hidden cameras in Pokémon Company restroom facilities and video recorded
10 individuals who used the restroom at the Pokémon Company's Bellevue location. He saved at
11 least some of those videos on his computer within files named "Pokémon 29" and "Pokémon
12 27". Upon information and belief, these videos captured Plaintiff and the various Class members
13 in varying states of undress while they used the restrooms.

14 14. Plaintiff has been employed with Pokémon Company for approximately five
15 years. She did not give permission to Tsai or Pokémon Company to record or surveil her while
16 using the restroom. None of the Class members gave Tsai or the Pokémon Company permission
17 to record or surveil them while using the restroom.

18 15. Upon information and belief, the recordings were made and kept by Tsai for any
19 or all of the following purposes: (1) his sexual gratification, and/or (2) commercial exploitation
20 through distribution of the videos. Tsai engaged in these recording activities based on the gender
21 of the Plaintiff and the Class members, who were treated differently from other employees,
22 students, and visitors of a different gender. The Plaintiff's and the Class's status as women and

1 girls was a driving force of, and substantial factor in, the voyeurism and invasion of their privacy
2 that they endured and, upon information and belief, of Tsai's commercial exploitation of Plaintiff
3 and members of the Class through distribution of the voyeurism videos.

4 16. Upon information and belief, the Pokémon Company failed to properly train and
5 supervise its employee, Ben Tsai, and failed to properly respond to indicators of his illicit
6 activities and the danger he posed to employees and members of the public. Defendant Pokémon
7 Company also knew, or should have known, that voyeurism in its restroom facilities was a risk,
8 but failed to take reasonable measures to protect Plaintiff and the Class members from this risk.
9 The risk was highlighted by the nature of the products marketed and sold and events held at its
10 locations where the public, particularly children, were invited and encouraged to attend.

11 17. Law enforcement has determined that Tsai transmitted at least 200 messages,
12 many of which contained child sexual abuse material. The same investigators determined that
13 the messaging application used to send those videos contained 680 stored in a folder of various
14 subjects, including adult nudity and child sexual abuse material. Upon information and belief,
15 Tsai was engaged in the commercial distribution of sexual abuse material and voyeurism videos,
16 including videos captured by Tsai of Class members.

17 18. Tsai has been charged with various crimes associated with his illicit and illegal
18 conduct including Voyeurism and Possession of depictions of minor engaged in explicit conduct
19 - first degree.

20 VI. CLASS ALLEGATIONS

21 19. Plaintiff brings this action on behalf of themselves and a Class under Civil Rule
22 23 (CR 23), consisting of all individuals who used bathroom facilities at Pokémon Company's

1 Bellevue location from 2017 to present. This Class consists of two sub-classes: (1) employees
2 of Pokémon Company who utilized its bathroom facilities at the Bellevue location, and (2)
3 members of the public who visited and utilized Pokémon Company's bathroom at the Bellevue
4 location.

5 20. This Class, and each sub-class therein, is so numerous that joinder of all members
6 is impractical. There are hundreds of potential class members.

7 21. Plaintiff is a member of the Class and of one of the sub-classes, and her claims
8 are typical of the Claims of all class members and of their respective sub-classes.

9 22. Plaintiff will fairly and adequately protect all Class members. Plaintiff has
10 interests which are not antagonistic to, or in conflict with, those interests Plaintiff seeks to
11 represent as Class representative. Plaintiff has retained counsel competent and experienced in
12 class action and civil rights litigation.

13 23. Questions of law and fact which are common to the Class with respect to their
14 claims against Defendants predominate over any individual questions. Among such common
15 questions of law and fact are:

16 (a) Whether Washington statutes and/or common law were violated by the
17 acts and omissions of Defendant as alleged in this complaint;

18 (b) Whether Defendant's conduct as described herein was negligent in one or
19 more respects;

20 (c) Whether Defendant knew, to what extent they knew, or to what extent it
21 should have known, of the illicit monitoring and recording by Tsai;

22 (d) To what extent the recorded videos of Plaintiffs were published, including

1 whether they were disseminated via any mass media forum or commercially sold or exploited;

2 (e) Whether Defendant's conduct, through its supervisory employee, Tsai,
3 constitutes a violation of the Washington Law Against Discrimination, Chapter 49.60 RCW *et*
4 *seq.*;

5 24. There is a community of interest among the class members in obtaining
6 appropriate compensatory damages and other equitable relief.

7 25. A class action is superior to other methods for the fair and efficient adjudication
8 of the damage claims presented by this complaint and will prevent the undue financial,
9 administrative, and procedural burdens on the parties and the Court that individual litigation
10 would impose. Because the damages suffered by individual members of the class may be
11 relatively small compared to the resources of the Defendants, the expense and burden of
12 individual litigation make it impractical for the class members to pursue individual litigation
against Defendants in order to vindicate their rights.

13 26. Accordingly, the proposed class fulfills the certification criteria of CR 23(a)(1)-
14 (4), and certification of the above-defined class is appropriate under one or more of the
provisions of CR 23(b).

15 VII. CAUSES OF ACTION

16 COUNT I WASHINGTON LAW AGAINST DISCRIMINATION 17 As to all Defendants 18 (Chapter 49.60 RCW *et. seq.*)

19 27. Washington Law Against Discrimination. Based on the paragraphs set forth and
20 alleged above, the Plaintiff and Class members were members of a protected class who were at
21 all times relevant utilizing a place of public accommodation pursuant to RCW 49.60 *et. seq.*
22 when the Pokémon Company and/or its agents or employees, including Tsai, committed acts that

1 directly or indirectly resulted in distinction, restriction, and/or discrimination of the Plaintiff and
2 Class members by treating them in a manner different to the treatment provided to persons
3 outside the Plaintiffs' and the Class members' protected class, including but not limited to
4 voyeurism, invasion of privacy, and commercial exploitation of the Plaintiff and Class members,
5 and the Plaintiff's and Class members' protected status was a substantial factor that caused the
6 distinctive, restrictive, and/or discriminatory treatment by the Pokémon Company and/or its
7 agents or employees, including Tsai, all of which was contrary to the laws of Washington set
8 forth under RCW 49.60 *et. seq.*, and all of which proximately caused Plaintiff and the Class
9 members to suffer damages.

10
11 **COUNT II**
COMMON LAW NEGLIGENCE
As to all Defendants
(Washington Common Law)

12
13 28. Negligence. Based on the paragraphs set forth and alleged above, Defendants had
14 a duty to exercise ordinary care and refrain from negligent acts and omissions, duties that arose
15 out of special relationships under Restatement (second) of Torts §315, duties that included the
16 duty to control servants while acting outside the scope of employment under Restatement
17 (second) of Torts §317, duties that included refraining from taking affirmative acts that exposed
18 Plaintiff and the Class members to harm from the foreseeable conduct of a third party under
19 Restatement (second) of Torts § 302B, duties that included the legal obligation to fully
20 investigate and report all matters of voyeurism, invasion of privacy, or commercial exploitation,
21 and duties that included the necessity of taking reasonable precautions to protect Plaintiff and
22 the Class members from voyeurism, as well as to refrain from negligent acts and omissions in
the hiring, training, and supervision of its agents, and Defendants' multiple failures in its duties

1 owed proximately caused the voyeurism, invasions of privacy, and on information and belief,
2 the commercial exploitation, of Plaintiff and Class members and resultant damages for which
3 Defendants are liable.

4 **COUNT III**
5 **GROSS NEGLIGENCE**
6 **As to all Defendants**
7 **(Washington Common Law)**

8 29. Gross Negligence. Based on the paragraphs set forth and alleged above,
9 Defendants had a duty to exercise slight care, which is care substantially less than ordinary care,
10 and to refrain from grossly negligent acts and omissions, and Defendants' multiple failures and
11 breaches in its duties owed proximately caused the voyeurism, invasions of privacy, and, on
information and belief, commercial exploitation of Plaintiff and the Class members and resultant
damages for which Defendants are liable.

12 **COUNT IV**
13 **NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**
14 **As to all Defendants**
15 **(Washington Common Law)**

16 30. Negligent Infliction of Emotional Distress. Based on the paragraphs set forth and
alleged above, Defendants' conduct constituted negligent infliction of emotional distress, and
Defendants are liable for damages proximately caused as a result.

17 **COUNT V**
18 **OUTRAGE**
19 **As to all Defendants**
20 **(Washington Common Law)**

21 31. Outrage. Based on the paragraphs set forth and alleged above, Defendants
22 intentionally and/or recklessly caused severe emotional distress to Plaintiff and Class members
due to their extreme and outrageous conduct, as more fully described above, that went beyond
all possible bounds of decency and can only be regarded as atrocious and utterly intolerable in a

1 civilized community, constituting the tort of outrage for which Defendants are now liable.

2
3 **COUNT VI**
COMMON LAW INVASION OF PRIVACY
4 **As to all Defendants**

5 32. Based on the paragraphs set forth and alleged above, Defendants conduct
6 constituted an invasion of privacy, specifically an intrusion upon seclusion, against the Plaintiff
7 and Class members. Plaintiff and Class members had a reasonable expectation of privacy in
8 their use of Pokémon Company bathroom and locker room facilities when Defendants intruded
9 upon their seclusion through the placement of cameras in the restroom facilities, regardless of
10 whether such cameras captured images of Plaintiffs in a state of undress.

11 33. The Pokémon Company's failure to implement and enforce adequate policies and
12 procedures and to appropriately train its employees was a moving force that resulted in the
13 pervasive and enduring invasion of privacy perpetrated by its employee.

14 **VII. RESERVATION OF RIGHTS**

15 34. Plaintiff reserves the right to assert additional claims as may be appropriate
16 following further investigation and discovery.

17 **VIII. JURY DEMAND**

18 35. Plaintiff demands that this action be tried before a jury.

19 **IX. PRAYER FOR RELIEF**

20 36. Plaintiff respectfully requests the following relief:

- 21 A. That the Court award Plaintiff appropriate relief, to include all special and
22 general damages established at trial;
- B. That the Court award costs, reasonable attorneys' fees, and statutory
interest under any applicable law, or other grounds in equity, including
RCW 49.60 *et seq.*;

- 1 C. That the Court award pre-judgment interest on items of special damages;
2 D. That the Court award post-judgment interest;
3 E. That the Court award Plaintiff such other, favorable relief as may be
4 available and appropriate under law or at equity;
5 F. That the Court enter such other and further relief as the Court may deem
6 just and proper.

7 SIGNED this 30th day of July, 2026.

8 PFAU COCHRAN VERTETIS AMALA PLLC

9 By: /s/ Darrell L. Cochran
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ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Pokémon Company International Hit with Class Action Lawsuit After Former Exec Arrest Over Hidden Bathroom Cameras](#)
