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3 McNaul Ebel Nawrot & Helgren  
4 PLLC

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

7 LANE POWELL, PC,

8 Plaintiff,

9 v.

10 MARK AND CAROL DeCOURSEY,

11 Defendants

NO. 11-2-34596-3 SEA

ORDER ON DEFENDANTS'  
MOTION FOR CR 11 SANCTIONS

(CLERK'S ACTION REQUIRED)

14 This matter is before the Court on Defendants' Motion to impose sanctions  
15 against Plaintiff and its attorneys. Defendants charge Plaintiff with misrepresenting the  
16 content of this Court's Order dated February 29, 2012 (filed March 2, 2012, hereafter  
17 referred to as Dkt. 98), by quoting that Order in a subsequent pleading, but omitting the  
18 words "...in accordance with CR26(b) and ER 502." However the inclusion or omission  
19 of those specific words does not alter the duties of Defendants under this Court's Order  
20 of February 3, 2012. Therefore the Defendants must comply with the February 3, 2012  
21 Order, and neither that Order, nor the effect of that Order is altered by the inclusion of  
22 the reference to CR26 and ER 502 in the Order filed under Dkt. 98.

21 Defendants' Motion for Sanctions is DENIED.

22 However, Defendants are correct that Plaintiff's citation to the February 29 Order  
23 should not have concluded the quotation from that Order with a period, unless it either  
included the CR26 and ER 502 language, or replaced that language with an ellipsis.

1 Attention to that detail would have saved us all the time and effort directed to this motion  
2 for sanctions. Further, Plaintiff did not include a proposed Order with their response to  
3 Defendants' motion as required by LCR 7(b)(5)(C), and in the future proposed orders  
4 shall be provided in accordance with that rule, and further it is good practice, and may  
5 become a local rule, for the moving party to provide a form of order with their Reply that  
6 reflects any change in the relief requested and lists, when required, all the documents  
7 filed with the motion, response and reply.

8 The Parties should take note that the trial date in this case is March 25, 2013 and  
9 that both parties have a responsibility to be prepared to commence trial on that date,  
10 both with respect to Plaintiff's claims and Defendants' Counterclaims.

11 DATED this 3 day of JULY, 2012

12 151  
13 RICHARD D. EADIE, JUDGE