

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

LANE POWELL PC, an Oregon professional corporation,
Plaintiff,

v.

MARK DeCOURSEY and CAROL DeCOURSEY, individually and the marital community composed thereof,
Defendants.

No. 11-2-34596-3SEA

AMENDED JUDGMENT ON FINDINGS OF FACT, CONCLUSIONS OF LAW & ORDER ON MOTION FOR SUMMARY JUDGMENT, AND ORDER TO RELEASE FUNDS

PROPOSED

CLERK'S ACTION REQUIRED

JUDGMENT SUMMARY

Judgment Creditor:	Lane Powell PC, Plaintiff
Judgment Debtors:	Mark DeCoursey and Carol DeCoursey, Defendants, Pro Se
Principal Contract Amount:	\$325,424.26
Interest accrued on Principal Amount: (through August 3, 2011)	\$ 59,457.40
(Subtotal amount held in Court Registry)	(\$384,881.66)
Interest accrued on Principal Amount: (August 3, 2011, through November 16, 2012)	\$ 37,793.79
Interest accrued on Principal Amount: (November 17, 2012 through March 4, 2013)	\$ 8,585.85

1 Statutory costs (RCW 4.84.010):

2 Filing Fees \$230.00
3 Service of process fees: 47.00
4 Statutory attorney fees
(RCW 4.84.080): 200.00 \$ 477.00

5 Total Judgment Amount: \$431,738.30

6 Post-Judgment Interest Rate: Nine percent (9%) per annum

7 Attorneys for Judgment Creditor: Robert M. Sulkin
8 Malaika M. Eaton
9 Hayley A. Montgomery
McNaul Ebel Nawrot & Helgren PLLC
600 University Street, Suite 2700
10 Seattle, Washington 98101

11 **ORDER**

12 THIS MATTER came on for hearing before this Court on Plaintiff's Motion for
13 Summary Judgment on November 16, 2013. On November 16, 2013, the Court granted
14 Plaintiff's Motion for Partial Summary Judgment. Dkt. 295. On December 4, 2013, the
15 Court entered a Revised Order on Plaintiff Lane Powell PC's Motion for Summary
16 Judgment. Dkt. 306A. On December 14, 2013, the Court entered Findings of Fact,
17 Conclusions of Law, and Order on Lane Powell PC's Motion for Partial Summary
18 Judgment. Dkt. 333. On January 15, 2013, the Court entered an Order on Defendants'
19 Revised Motion to Reconsider Order on Plaintiff's Motion for Summary Judgment
20 (denied). Dkt. 350. On January 15, 2013, the Court entered an Order on Defendants'
21 Motion to Reconsider Findings of Fact, Conclusions of Law of 12/14/12 (denied). Dkt.
22 351. Now, therefore,

23 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Plaintiff Lane
24 Powell PC is awarded judgment against Defendants Mark and Carol DeCoursey, in the
25 amount of the \$384,881.66 held in the Court Registry (original principal amount of
26 \$325,424.26, plus \$59,457.40 for interest accrued through August 3, 2011), plus an

1 additional \$37,793.79 for interest accrued on the principal amount pursuant to the parties'
2 contract through November 16, 2012, plus an additional \$8,585.85 for interest accrued on
3 the principal amount pursuant to the parties' contract from November 17, 2012, through
4 March 4, 2012 (the date noted for presentation of this judgment), together with statutory
5 costs pursuant to RCW 4.84.010 in the amount of \$477.00, for a total judgment amount of
6 \$431,738.30. Post-judgment interest on the entire sum shall accrue at the rate of nine
7 percent (9%) per annum from the date of entry hereof.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the sum of
9 \$384,881.66, which the Clerk of the Court has been holding in the Court Registry under
10 *V&E Medical Imaging Services, Inc., et al. v. Mark DeCoursey, et ux., v. [REDACTED]*
11 *et al.*, King County Superior Court No. 06-2-24906-2SEA, shall instead be held in the
12 Court Registry under *Lane Powell, PC v. Mark DeCoursey, et al.*, King County Superior
13 Court No. 11-2-34596-3 SEA, and pursuant to RAP 8.1 shall serve as supersedeas for the
14 \$431,738.30 judgment entered in Lane Powell's favor. The supersedeas bond held in the
15 form of Contractors Bonding and Insurance Company ("CBIC") Bond No. SJ6014 in the
16 discretionary review proceeding (COA No. 68671-1-I) in this case shall henceforth serve
17 as further supersedeas in COA No. 69837-1-I for the remaining amount of the judgment.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this judgment
19 is stayed pending final resolution of the Judgment Debtor's appeal.

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, in the event
21 Lane Powell prevails on appeal, upon issuance of the mandate, the Clerk of Court is
22 directed to immediately release the \$384,881.66 held in the Court Registry to Lane Powell
23 PC, in care of McNaul Ebel Nawrot & Helgren PLLC, and CBIC is directed to release an
24 amount sufficient to fully satisfy the \$431,738.30 judgment plus post-judgment interest
25 held in CBIC Bond No. SJ6014 to Lane Powell PC, in care of McNaul Ebel Nawrot &
26 Helgren PLLC.

1 IT IS SO ORDERED.

2 DATED THIS 8th day of March, 2013.

3 Richard D. Eadie

4 Honorable Richard D. Eadie
5 King County Superior Court Judge

6 Presented by:

7 McNAUL EBEL NAWROT & HELGREN PLLC

8 By: Malaika M. Eaton
9 Robert M. Sulkin, WSBA No. 15425
10 Malaika M. Eaton, WSBA No. 32837
11 Hayley A. Montgomery, WSBA No. 43339

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AMENDED JUDGMENT ON FINDINGS OF FACT, CONCLS. OF
LAW, & ORDER ON MOT. FOR SUMM. J. & ORDER TO
RELEASE FUNDS – Page 4

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