

Honorable Judge Richard D. Eadie  
Hearing Date: February 29, 2012  
Hearing Time: 9:00 AM

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
FOR THE COUNTY OF KING

LANE POWELL, PC, an Oregon  
professional corporation,

Plaintiff,

v.

MARK DECOURSEY and CAROL  
DECOURSEY

Defendants

No. 11-2-34596-3 SEA

**ORDER ON MOTION TO  
RECONSIDER ORDER  
COMPELLING DISCOVERY OF  
PRIVILEGED MATERIALS  
(PROPOSED)** RE

This matter having come for hearing before this Court on Defendant DeCourseys' *Motion to Reconsider Order Compelling Discovery of Privileged Materials*, and the Court having reviewed the records and files pertaining to this action, including:

1. Lane Powell's January 24, 2012 motion, *Plaintiff's Motion to Compel Defendants' Responses to Plaintiff's First Set of Discovery Requests*
2. DeCourseys *Opposition* to the above motion
3. DeCourseys' *Motion to Reconsider Order Compelling Discovery of Privileged Materials*
4. Declaration of Mark DeCoursey and supporting exhibits
5. ~~Lane Powell's response, if any~~ RE
6. ~~DeCourseys' reply, if any~~ RE

ORDER ON MOTION TO RECONSIDER ORDER  
COMPELLING DISCOVERY OF PRIVILEGED  
MATERIALS -1

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2 The Court rules as follows:

3 The Court's Order of February 3, 2012, *Order on Plaintiff's Motion to Compel*  
4 *Defendants' Responses to Plaintiff's First Discovery Requests*, is VACATED.

5 The Court also FINDS THAT:

- 6 1. That attorney-client privilege and the waiver of privilege is a fundamental issue of  
7 American law and jurisprudence;  
8 2. That the courts have held that a violation attorney-client privilege could easily be  
9 gravely prejudicial to a case;  
10 3. That Lane Powell has not provided any authorities to support its contention that  
11 DeCourseys have universally waived privilege concerning the Windermere lawsuit;

12 And therefore, this Court ORDERS: *RE*

- 13 4. That DeCourseys must respond to discovery requests in full with evidence and  
14 ~~materials that are not privileged~~ *IN ACCORDANCE WITH THIS COURT'S ORDER OF 2/3/2012.*  
in accordance with CR 26(b) and ER 502.

15 5. \_\_\_\_\_  
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19 Signed this 29<sup>th</sup> day of February, 2012.

20 *Richard D Eadie*  
21 \_\_\_\_\_  
22 Judge Richard D. Eadie

23 Submitted by:

24 \_\_\_\_\_/s Mark DeCoursey \_\_\_\_\_

25 Mark DeCoursey

26 Pro se