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CASE NUMBER: 10-2-36192-8 SEA

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

WINDERMERE REAL ESTATE SERVICES
COMPANY., a Washington corporation,

Plaintiff,

vs.

ELDON J. MAXWELL, II, an individual a/k/a/
JOE MAXWELL, a/k/a JOSEPH MAXWELL,
and JANE DOE MAXWELL, husband and wife
and the marital community thereof,

Defendants.

Cause No.: 10-2-36192-8 SEA

ANSWER TO COUNTERCLAIMS

ELDON J. MAXWELL, II, an individual a/k/a/
JOE MAXWELL, a/k/a JOSEPH MAXWELL,

Counterclaimant,

v.

WINDERMERE REAL ESTATE SERVICES
COMPANY, a Washington corporation,

Counterdefendant.

ANSWER TO COUNTER CLAIMS - 1

PAUL STEPHEN DRAYNA, P.S.
5424 SAND POINT WAY NE
SEATTLE, WA 98105
(206) 525-1225

COMES NOW the counter-defendant Windermere Real Estate Services Company, a Washington corporation d/b/a Windermere Services Company (WSC) and answers the counter-claims of Defendant Eldon J. Maxwell, II as follows:

1. Admit.
2. Admit.
3. Admit.
4. Admit first sentence. Admit second sentence. With respect to the third sentence, admit that John Jacobi is the founder of WSC, but deny that Mr. Jacobi held the title of President at any time relevant to the facts set forth herein. Admit fourth sentence.
5. Admit first sentence. Deny second sentence.
6. Deny, because the WPCR Operating Agreement was revised in 2006, and it is unclear which version is being referenced in this allegation.
7. Admit first sentence. Deny second sentence.
8. Admit first sentence. Deny second sentence.
9. Insufficient knowledge, and therefore deny.
10. Insufficient knowledge, and therefore deny.
11. Admit first sentence. Insufficient knowledge as to second sentence, and therefore deny.
12. Insufficient knowledge and therefore deny.
13. Deny first sentence because it is vague. Insufficient knowledge as to second sentence and therefore deny.
14. Deny.
15. Deny.
16. Deny.
17. Deny.
18. Deny.

1 19. Ambiguous as to which version of the WPCR Operating Agreement is being referenced,
2 and therefore deny.

3 20. Admit.

4 21. Deny.

5 22. Insufficient knowledge, and therefore deny.

6 23. Insufficient knowledge as to first sentence, and therefore deny. Admit remainder of
7 paragraph.

8 24. Admit.

9 25. Deny.

10 26. Deny.

11 27. Deny.

12 28. Deny.

13 V. PRAYER FOR RELIEF

14 Wherefore Counter-Defendant now requests the following relief:

- 15 A. That Defendant's counter-claims be dismissed with prejudice; and
16 B. For an award of costs and reasonable attorney's fees pursuant to contract and
17 statutory law, to such extent as the court finds applicable; and
18 C. Such further relief as the court deems just and equitable.

19 Dated March 28, 2011.

20 PAUL STEPHEN DRAYNA, P.S.

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23 By Paul S. Drayna, WSBA #26636
24 Attorney for Counter-Defendant
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