

KING COUNTY
THE HONORABLE RICHARD E. ADIE
SUPERIOR COURT CLERK
Department 33
FILED

CASE NUMBER: 08-2-34857-1 SEA

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

SEAWEST INVESTMENT ASSOCIATES,
LLC, a Washington limited liability corporation,

Plaintiff,

vs.

LUIN LEISHER and SHIRLEY LEISHER,
husband and wife,

Defendants and Third-Party Plaintiffs,

vs.

COMMONWEALTH LAND TITLE
COMPANY OF PUGET SOUND, LLC,

Third-Party Defendant.

No. 08-2-34857-1 SEA

**NOTICE OF APPEAL TO
DIVISION I, COURT OF APPEALS**

(Clerk's Action Required)

TO: THE CLERK OF THE COURT; and
TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

PLEASE TAKE NOTICE that Third-Party Defendant Commonwealth Land Title Company of Puget Sound, LLC seeks review by the designated appellate court of the King County Superior Court's Final Judgment entered on December 15, 2010. A copy of the Final Judgment is attached to this notice as Exhibit A.

1 DATED this 14th day of January, 2011.

2 TERRELL MARSHALL & DAUDT PLLC

3
4 By: /s/ Michael D. Daudt, WSBA #25690
5 Michael D. Daudt, WSBA #25690
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15 *Attorneys for Third-Party Defendant Commonwealth*
16 *Land Title Company of Puget Sound, LLC*
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— EXHIBIT A —

DEC 15 2010

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

SUPERIOR COURT CLERK
BY ANDREW T. HAVIS
DEPUTY

SEAWEST INVESTMENT ASSOCIATES,
LLC, a Washington limited liability corporation,

Plaintiff,

vs.

LUIN LEISHER and SHIRLEY LEISHER,
husband and wife,

Defendants and Third-Party Plaintiffs,

vs.

COMMONWEALTH LAND TITLE
COMPANY OF PUGET SOUND, LLC

Third-Party Defendants

The Honorable Richard Eadie

No. 08-2-34857-1-SEA

FINAL JUDGMENT

Clerk's Action Required

1. FINAL JUDGMENT SUMMARY

A. Plaintiff Seawest Investment Associates LLC's Judgment Against Defendants Shirley and Luin Leisher

1. Judgment Creditor: Seawest Investment Associates, LCC
2. Attorney for Judgment Creditor: Christopher R. Osborn
FOSTER PEPPER PLLC
1111 Third Avenue, Suite 3400
Seattle, WA 98101

ORIGINAL

1 3. Judgment Debtor: Luin Leisher and Shirley Leisher,
2 husband and wife
3 4. Attorney for Judgment Debtor: Logan Johnson
4 SCHIFFER ODOM HICKS & JOHNSON
5 701 Fifth Avenue, Suite 4200
6 Seattle, Washington 98104
7 5. Principal Judgment Amount: \$ 869,883.37
8 6. Attorneys' Fees: \$ 74,611.50
9 7. Costs: \$ 778.12
10 8. **Total Judgment Amount:** **\$ 945,272.99**

11 9. Pre-judgment interest at the legal rate is awarded to Seawest, and accrues at \$285.99
12 per day from October 6, 2008 to August 3, 2010, the date this Court previously entered partial
13 judgment in favor of Seawest Investment Associates, LLC.

14 10. The total judgment amount shall accrue interest at 12% per annum until paid in full.

15 **A. Defendants/Third-Party Plaintiffs Shirley and Luin Leisher's**
16 **Plaintiff Judgment Against Third-Party Defendant Commonwealth Land**
17 **Title Company of Puget Sound, LLC**

18 1. Judgment Creditors: Shirley and Luin Leisher
19 2. Attorney for Judgment Creditor: Logan Johnson
20 SCHIFFER ODOM HICKS & JOHNSON
21 701 Fifth Avenue, Suite 4200
22 Seattle, Washington 98104
23 3. Judgment Debtor: Commonwealth Land Title Company
24 of Puget Sound, LLC
25 4. Attorney for Judgment Debtor: Michael Daudt
26 TERRELL MARSHALL & DAUDT,
PLLC
3600 Fremont Avenue N.
Seattle, Washington 98103

1 5. Principal Judgment Amount: \$1,190,000.00

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3 **Total Judgment Amount: \$1,190,000.00**

4 6. The total judgment amount shall accrue interest at 12% per annum until paid in full.

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6 **II. JUDGMENT**

7 THIS MATTER, having all claims of all parties finally disposed of by jury verdict
8 dated August 4, 2010, this Court, having reviewed the records and files herein, and being
9 otherwise fully advised in the premises, finds that Seawest Investment Associates, LLC and
10 Shirley and Luin Leisher are entitled to final judgment as a matter of law; NOW,
11 THEREFORE,

12 IT IS HEREBY ORDERED, that:

13 1. The Residential Real Estate Purchase and Sale agreement between Plaintiff and
14 Defendants Leisher is rescinded;

15 2. Judgment is hereby entered in favor of Seawest Investment Associates, LLC
16 against Defendants Luin Leisher and Shirley Leisher as follows:

17 2.1 Principal Judgment Amount: \$ 869,883.37

18 2.2 Attorneys' Fees: \$ 74,611.50

19 2.3 Costs: \$ 778.12

20 2.4 **Total Judgment Amount: \$ 945,272.99**

21 2.5 Pre-judgment interest at the legal rate is awarded to Seawest, and
22 accrues at \$285.99 per day from October 6, 2008 until August 3, 2010, the date this Court
23 previously entered partial judgment in favor of Seawest Investment Associates, LLC.
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3. Judgment is hereby entered against in favor of Defendants/Third-Party Plaintiffs Shirley and Luin Leisher against Third-Party Defendant Commonwealth Land Title Company of Puget Sound, LLC as follows:

2.8 The total judgment amount shall accrue interest at 12% per annum until paid in full.

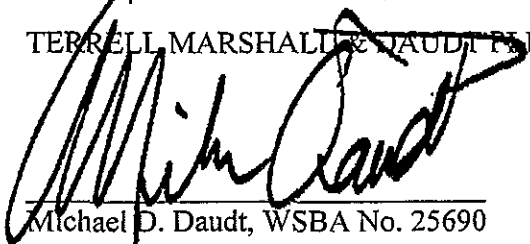
Richard D Eadie
The Honorable Richard Eadie

SCHIFFER ODOM HICKS & JOHNSON, PLLC

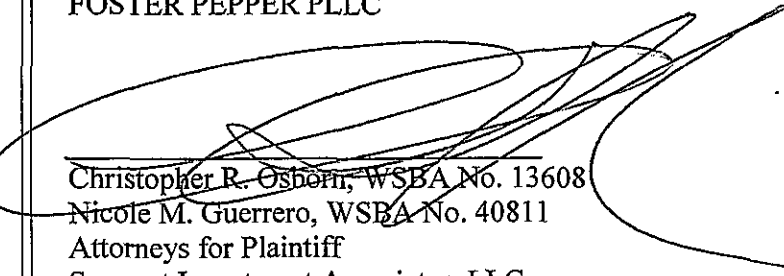
13608

1 Copy received and notice of presentation waived:

2 TERRELL MARSHALL & DAUDT PLLC

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4
5 Michael D. Daudt, WSBA No. 25690
6 Attorneys for Third-Party Defendant Commonwealth
7 Land Title Company of Puget Sound, LLC

8 FOSTER PEPPER PLLC

9
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11 Christopher R. Osborn, WSBA No. 13608
12 Nicole M. Guerrero, WSBA No. 40811
13 Attorneys for Plaintiff
14 Seawest Investment Associates, LLC
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