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FILED

JUN 25 2014

SPOKANE COUNTY CLERK

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF SPOKANE**

ARCHIE MITCHELL and STORMIE
MITCHELL, husband and wife,

Plaintiffs,

v.

GREG DURHEIM and JANE DOE DURHEIM,
husband and wife; CAROL GROVES and JOHN
DOE GROVES, wife and husband; and
WINDERMERE/MANITO, LLC, a Washington
limited liability company; and PAUL SOLERNO
and JANE DOE SOLERNO, husband and wife,

Defendants.

NO. 13-2-01539-5

**ORDER DENYING DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT**

THIS MATTER HAVING COME ON before the undersigned Judge of the above-entitled Court upon Defendants Durham, Groves and Windermere/Manito, LLC's Motion for Summary Judgment, and the Court, having considered the same, the record and files herein, including but not limited to the following:

1. Motion for Summary Judgment By Defendants Durham, Groves and Windermere Manito, LLC;
2. Defendants' Note for Hearing;

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3. Memorandum in Support of Motion for Summary Judgment by Defendants Durham, Groves and Windermere Manito, LLC;

4. Declaration of John H. Loeffler in Support of Defendants' Motion for Summary Judgment;

5. Declaration of Carol Groves in Support of Defendants' Motion for Summary Judgment;

6. Declaration of Greg Durham in Support of Defendants' Motion for Summary Judgment;

7. Memorandum in Support of Motion for Summary Judgment by Defendants Durham, Groves and Windermere Manito, LLC (corrected as to footnotes);

8. Plaintiffs' Response in Opposition to Defendants' Motion for Summary Judgment;

9. Declaration of Archie Mitchell in Opposition to Defendants' Motion for Summary Judgment;

10. Declaration of Stormie Mitchell in Opposition to Defendants' Motion for Summary Judgment;

11. Declaration of Richard Hagar with attached GR17;

12. Declaration of JP. Diener in Opposition to Defendants' Motion for Summary Judgment;

13. Defendants Durham, Groves and Windermere Manito, LLC's Reply Memorandum in Support of Summary Judgment; and

14. Second Declaration of John H. Loeffler in Support of Defendants' Motion for Summary Judgment.

It is NOW, THEREFORE, ORDERED, ADJUDGED and DECREED that Defendants' Motion for Summary Judgment is DENIED.

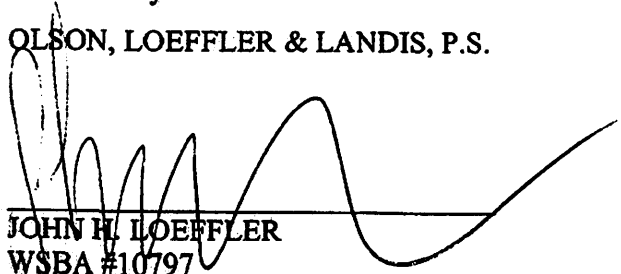
DONE IN OPEN COURT this 25 day of June, 2014.


JUDGE KATHLEEN M. O'CONNOR

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Presented by:

OLSON, LOEFFLER & LANDIS, P.S.

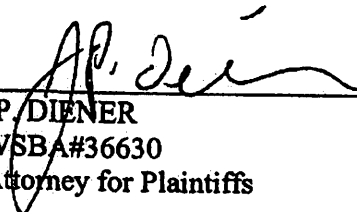


JOHN H. LOEFFLER
WSBA #10797

Attorney for Defendants Durham,
Groves & Windermere/Manito LLC

Agreed as to form; Presentment Waived:

FELTMAN, GEBHARDT, GREER
& ZEIMANTZ, P.S.



JP DIENER
WSBA#36630
Attorney for Plaintiffs

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