

HONORABLE ELIZABETH J. BERNIS

**FILED**  
KING COUNTY, WASHINGTON

JUN 07 2013

SUPERIOR COURT CLERK  
KIM C. DUNNETT  
DEPUTY

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

JACOB FRAZIER and SHAWNACEE  
FRAZIER, husband and wife and the marital  
community comprised thereof,

Plaintiffs,

vs.

JEFFERY L. BOYER and PATRICIA D.  
BOYER, husband and wife and the marital  
community comprised thereof, KENNETH J.  
FREED and JUDITH A. FREED, husband  
and wife and the marital community  
comprised thereof, WINDERMERE REAL  
ESTATE / LAKE TAPPS, INC., a  
Washington corporation, and CRAIG D.  
THIELBAR and JANE DOE THIELBAR,  
and the marital community comprised  
thereof,

Defendants.

NO. 13-2-00452-6 KNT

ORDER COMPELLING DEFENDANT  
BOYERS' ANSWERS TO PLAINTIFFS'  
INTERROGATORIES AND REQUESTS FOR  
PRODUCTION

THIS MATTER came on for consideration without oral argument on the 7<sup>th</sup> day of

June, 2013, upon plaintiffs' Motion to Compel Defendant Boyers'  
Answers to Plaintiffs' Interrogatories and Requests for Production, and the Court having  
reviewed the records and files herein, and having considered the following:

ORDER COMPELLING DEFENDANT BOYERS'  
ANSWERS TO PLAINTIFFS' INTERROGATORIES  
AND REQUESTS FOR PRODUCTION - 1  
C:\Matters\Frazier\Discovery\Boyer2013-05-30\_Order Compelling  
Answers.docx

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ATTORNEY AT LAW  
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Tacoma, WA 98402  
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1. Plaintiff's Motion to Compel Defendant Boyers' Answers to Plaintiffs' Interrogatories and Requests for Production;

2. Declaration of Daniel G. Wilmot in Support of Plaintiffs' Motion to Compel Defendant Boyers' Answers to Plaintiffs' Interrogatories and Requests for Production;

3. No responsive materials were submitted by Defendants.;

4. \_\_\_\_\_

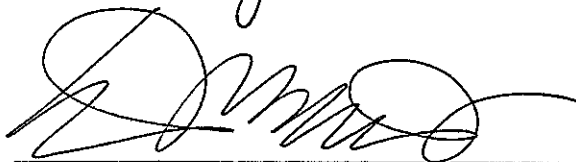
and being fully advised in the premises, the Court finds as follows:

1. On March 8, 2013, plaintiffs propounded on defendants Boyer their first set of interrogatories and requests for production;
2. Plaintiffs and defendants Boyer agreed to extend the deadline for Boyers' answers to plaintiffs' interrogatories and requests for production to April 12, 2013;
3. Counsel for plaintiffs and defendants Boyer engaged in a CR 26(i) conference on April 17, 2013 to discuss discovery matters, including the Boyers' answers to plaintiffs' interrogatories and requests for production;
4. Defendants Boyer have never provided the answers to plaintiffs' interrogatories and requests for production and the deadline for providing such answers has expired; and
5. Plaintiffs have incurred attorneys' fees and costs in bringing this motion in an amount that may be presented by separate cost bill for approval by the Court.

1 Consistent with the foregoing findings, it is hereby ORDERED, ADJUDGED AND  
2 DECREED as follows:

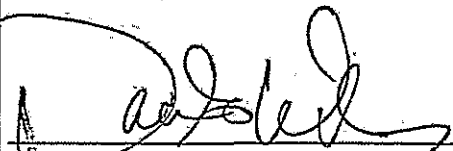
- 3 1. Plaintiffs' Motion is granted.
- 4 2. Defendants Boyer shall immediately deliver to plaintiffs' counsel full and  
5 complete answers, ~~without objection~~ to plaintiffs' first set of interrogatories and  
6 requests for production to defendants Boyer.
- 7 3. The issue of an award of attorneys' fees and costs to plaintiffs incurred in  
8 bringing this motion is reserved subject to plaintiffs' filing of a separate cost bill  
9 to be presented to this Court for approval.
- 10 4. \_\_\_\_\_  
11 \_\_\_\_\_
- 12 5. \_\_\_\_\_  
13 \_\_\_\_\_  
14 \_\_\_\_\_

15 DONE IN OPEN COURT this 7 day of June, 2013.

16 

17  
18 Judge Elizabeth J. Berns

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20  
21 Presented by:

22 

23 Daniel G. Wilmot, WSBA #33706  
24 Attorney for Plaintiffs