

FILED
SUPREME COURT
STATE OF WASHINGTON
10/21/2022 3:43 PM
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SUPREME COURT
OF THE STATE OF WASHINGTON

MARJORIE CARROLL, as
Personal Representative of the
Estate of LAWRENCE W.
CARROLL, Deceased,

Respondent,

v.

NISSAN MOTOR CO., LTD.
and NISSAN NORTH
AMERICA, INC.,

Petitioners,

and

THOMAS J. OWENS,

Respondent,

and

AKEBONO BRAKE
CORPORATION;
HONEYWELL
INTERNATIONAL, INC.; and
OLYMPIC BRAKE SUPPLY,
INC.,

Defendants.

No. 101227-6

STATEMENT
OF ADDITIONAL
AUTHORITIES

COME NOW petitioners Nissan Motor Co., Ltd. and Nissan North America, Inc. (“Nissan”), who submit the following the following additional authorities to the Court pursuant to RAP 10.8:

- *Henderson v. Thompson*, __ Wn. 2d __, __ P.3d __, 2022 WL 11469892 (2022) at *10-2 (on facts far less egregious than those present here, this Court makes clear that trial judges have “considerable” discretion and “wide latitude” on sanctions, but notes that when a party intentionally spoils or hides evidence, the more severe sanctions, including dismissal, are appropriate).

This document contains 87 words, excluding the parts of the document exempted from the word count by RAP 18.17.

DATED this 21st day of October, 2022.

Respectfully submitted,

/s/ Philip A. Talmadge

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DECLARATION OF SERVICE

On said day below I electronically served a true and accurate copy of the *Statement of Additional Authorities* in Supreme Court Cause No. 101227-6 to the following:

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Original electronically served via appellate portal to:
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I declare under penalty of perjury under the laws of the State of Washington and the United States that the foregoing is true and correct.

DATED: October 21, 2022 at Seattle, Washington.

/s/ Brad Roberts
Brad Roberts, Legal Assistant
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TALMADGE/FITZPATRICK

October 21, 2022 - 3:43 PM

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