

FILED
SUPREME COURT
STATE OF WASHINGTON
8/13/2019 11:50 AM
BY SUSAN L. CARLSON
CLERK

NO. 97201-0

IN THE SUPREME COURT FOR THE
STATE OF WASHINGTON

(COA No. 77694-1-1)

JEOUNG LEE and SHERRI MCFARLAND, on their own and on behalf
of all persons similarly situated,

Respondents,

v.

EVERGREEN HOSPITAL MEDICAL CENTER a/k/a KING COUNTY
PUBLIC HOSPITAL DISTRICT #2,

Petitioner.

**RESPONSE TO PETITIONER EVERGREEN'S SUPPLEMENT TO
OBJECTION TO NOTICE OF WITHDRAWAL**

David E. Breskin, WSBA #10607
Cynthia J. Heidelberg, #44121
BRESKIN JOHNSON & TOWNSEND, PLLC
1000 Second Avenue, Suite 3670
Seattle, WA 98104
Telephone (206) 652-8660

Counsel for Respondents

The Respondent Class and Class counsel, and Plaintiff/Respondent Sherri McFarland and her counsel (collectively “counsel”) object to Petitioner Evergreen Hosp. Med. Center (“Evergreen”)’s improper filing of a supplementation of record and ask that it be stricken from the record in this Court. There is no Rule of Appellate Procedure or legal authority that supports the filing and Evergreen admits the filing has nothing to do with its Petition for Review pending before this Court.

While Respondents and counsel disagree with Ms. Lee’s statements in the letter attached to Evergreen’s supplemental filing, the letter, which was not served on counsel, will be addressed by the parties and the trial court on remand to the trial court. The content of the letter and the appropriateness of the trial court’s striking of the letter can be properly addressed by the parties and the trial court at that time.

DATED: August 13, 2019

BRESKIN JOHNSON & TOWNSEND, PLLC

By: s/ David E. Breskin
David E. Breskin, WSBA #10607
Cynthia J. Heidelberg, #44121
1000 Second Avenue, Suite 3670
Seattle, WA 98104 Tel: (206) 652-8660

CERTIFICATE OF SERVICE

I certify under penalty of perjury under the laws of the state of Washington that on this date I filed the foregoing document via the Washington State Appellate Courts' Portal which will serve the same on all parties of record.

DATED this 13th day of August, 2019, at Seattle, Washington.

s/Nerissa Tigner
Nerissa Tigner, Paralegal

BRESKIN JOHNSON TOWNSEND PLLC

August 13, 2019 - 11:50 AM

Transmittal Information

Filed with Court: Supreme Court
Appellate Court Case Number: 97201-0
Appellate Court Case Title: Jeoung Lee v. Evergreen Hospital Medical Center

The following documents have been uploaded:

- 972010_Supplemental_Pleadings_20190813114908SC414393_9441.pdf
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Comments:

Sender Name: Nerissa Tigner - Email: ntigner@bjtlegal.com

Filing on Behalf of: David Elliot Breskin - Email: dbreskin@bjtlegal.com (Alternate Email:)

Address:
1000 Second Avenue
Suite 3670
Seattle, WA, 98104
Phone: (206) 652-8660

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