

FILED  
SUPREME COURT  
STATE OF WASHINGTON  
2/20/2024 8:00 AM  
BY ERIN L. LENNON  
CLERK

IN THE SUPREME COURT  
OF THE STATE OF WASHINGTON

RANDALL R. STEICHEN,

Petitioner,

vs.

1223 SPRING STREET OWNERS  
ASSOCIATION, a Washington  
non-profit corporation; CWD  
GROUP, a Washington corporation;  
VALERIE FARRIS OMAN, a  
citizen of the State of Washington;  
CONDOMINIUM LAW GROUP,  
PLLC, a Washington professional  
limited liability company;  
DAVID BUCK, a citizen of the  
State of Washington; DANA REID, a  
citizen of the State of Washington;  
JEREMY SPARROW, a citizen of  
the State of Washington; ROBERT  
MOORE, a citizen of the State of  
Washington; CATHERINE  
RAMSDEN, a citizen of the State  
of Washington,

Respondents.

No. 102739-7

REPLY TO RESPONDENTS'  
ANSWERS TO ALLOW  
FILING OF CORRECTED  
PETITION FOR REVIEW

Respondents failed to identify any prejudice that would  
arise from this Court accepting Steichen's corrected petition for

discretionary review and updated appendix—because there is no prejudice. This Court should therefore accept the petition and appendix.

CWD and the Association assert that Steichen “reframed and reordered arguments, added new record citations and added new materials to the appendix.” Opp’n at 9.<sup>1</sup> Steichen did not reframe any arguments. Steichen moved his argument regarding Division One failing to review denial of summary judgment on appeal from second to fifth so the arguments are in the same order as the issues. This is immaterial.

Steichen’s corrected petition sets forth the following quotes from the trial court judge regarding the procedural history:

This case really should have been settled. It never should have needed to be filed, honestly....

Someone has a thirst for litigating, otherwise this would have settled ... the holidays would be more

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<sup>1</sup> Respondents’ assertion concedes that the corrected petition contains only slight revisions that do not materially alter the original petition.

cheerful ... if you'd just resolve this case.... It just takes two reasonable sides.

CP 997, 9190, 9197. These quotations were inadvertently omitted from the original petition and merely augment, but do not materially change, the facts and do not change any argument. Finally, Steichen is permitted to file the articles in the updated appendix pursuant to RAP 10.8. The articles simply provide additional context, but do not at all change, Steichen's demonstration of the importance for this Court to accept review (to protect innocent homeowners against unlawful conduct by collection attorneys on behalf of associations and property managers who they are often successful in misleading).

CLG asserts:

To avoid waste of my precious time and my client's money, ... on behalf of myself and my client,<sup>2</sup> I requests [*sic*] that this Court assess terms against Steichen for the waste of time and effort he is causing all other parties and this Court.

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<sup>2</sup> Mr. Rosenberg is an insurance defense attorney.

Opp'n at 4-5. CLG fails to cite any authority to support its baseless request—because there is none. Moreover, the applicable Rule states:

The appellate court ... may order a party or counsel ... who uses these rules for the purpose of delay, files a frivolous appeal, or fails to comply with these rules to pay terms or compensatory damages to any other party who has been harmed by the delay or the failure to comply or to pay sanctions to the court.

RAP 18.9. Steichen did not violate any Rule or use the Rules to delay his appeal. This Court should deny CLG's specious request. Declaration of Ashley H. Steichen.

Additionally, contrary to Respondents' assertions, the citations to the record in Steichen's opening brief were not "deficient."<sup>3</sup> Opp'n at 5-6. The Association and Steichen both

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<sup>3</sup> Division One failed to consider the appendix. Its opinion incorrectly states: "Steichen designated no records for this court's review, failed to cite to the record, and failed to set forth any legal argument" regarding garnishment fees. Op., 15.

On December 9, 2022, Association designated the judgment. CP 13584-13603.

filed supplemental designations of clerk's papers as authorized by the Rules. RAP 9.6(a). These documents were not part of the clerk's papers when Steichen's counsel drafted his opening brief and were not yet filed in the trial court. Therefore, on April 14, 2023, Steichen filed an appendix with corrected citations.

### CONCLUSION

This Court should accept Mr. Steichen's corrected petition and updated appendix, which will assist this Court in understanding the issues and arguments and enable the Court to make a more reasoned decision on the merits of the Petition.

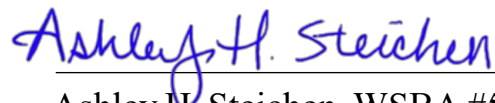
Signature is on the following page.

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Steichen's appendix contains citations to the garnishment judgment. CP 13590, 13960, 13973.

This Reply contains 621 words, excluding words that are exempt from the word count requirement and complies with Rule of Appellate Procedure 18.17.

DATED this 16<sup>th</sup> day of February 2024.



Ashley H. Steichen, WSBA #54433

ATTORNEY AT LAW

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Seattle, Washington 98109

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Attorney for Randall R. Steichen

## DECLARATION OF SERVICE

I hereby certify under penalty of perjury under the laws of the State of Washington that on February 16, 2024, I filed a true and correct copy of the foregoing document with the Washington State Appellate Court's Portal. The Court will notify counsel of record of the filing at the following email addresses:

Marilee C. Erickson: merickson@rmlaw.com

Christopher J. Nye: cnye@rmlaw.com

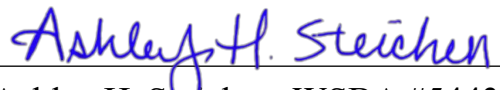
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Matthew R Wojcik: matt.wojcik@bullivant

DATED February 16, 2024 at Seattle, Washington.



Ashley H. Steichen, WSBA #54433

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Attorney for Randall R. Steichen

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MOORE, a citizen of the State of  
Washington; CATHERINE  
RAMSDEN, a citizen of the State  
of Washington,

Respondents.

No. 102739-7

DECLARATION OF  
ASHLEY H. STEICHEN  
IN SUPPORT OF REPLY TO  
RESPONDENTS' ANSWERS  
TO ALLOW FILING OF  
CORRECTED PETITION  
FOR REVIEW

1. I am a citizen of the United States of America and a  
resident of the State of Washington. I am over eighteen years



old, and I have personal knowledge of the matters set forth below. I am competent to testify, and I affirm that the matters set forth below are true and accurate in all respects.

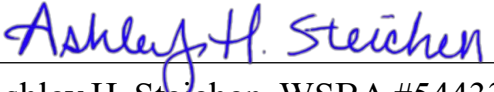
2. I offered to represent my Father in this matter due to the Association's unlawful actions. I took this case on a contingency fee basis. Other than the award of attorney fees for successfully dismissing the Association's garnishment writ, which I have not received, I have not been awarded or received any compensation for my work on this case.

3. I made the decision to file a corrected brief—not my client. Therefore, if this Court awards fees, I will not allow my client to pay for my decision.

Signature is on the following page.

I declare under the penalty of perjury of the laws of the State of Washington that the foregoing is true and correct.

DATED this 16<sup>th</sup> day of February 2024.



Ashley H. Steichen, WSBA #54433

ATTORNEY AT LAW

2565 Dexter AVE N, #301

Seattle, Washington 98109

Telephone: 206.818.6092

Attorney for Randall R. Steichen

## DECLARATION OF SERVICE

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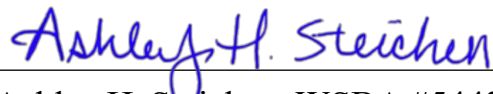
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Owen R. Mooney: owen.mooney@bullivant.com

Matthew R Wojcik: matt.wojcik@bullivant

DATED February 16, 2024 at Seattle, Washington.



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**ASHLEY H. STEICHEN**

**February 16, 2024 - 5:01 PM**

**Transmittal Information**

**Filed with Court:** Supreme Court  
**Appellate Court Case Number:** 102,739-7  
**Appellate Court Case Title:** Randall R. Steichen v. 1223 Spring Street Owners Assoc, et al.

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**Comments:**

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