

FILED
Court of Appeals
Division I
State of Washington
9/5/2018 8:00 AM
Supreme Court No. 960321
Appeals Case No. 75946-9-I

FILED
SUPREME COURT
STATE OF WASHINGTON
9/5/2018
BY SUSAN L. CARLSON
CLERK

**IN THE COURT OF APPEALS
OF THE STATE OF WASHINGTON
DIVISION I**

KRISTIN BAIN,

Appellant,

v.

METROPOLITAN MORTGAGE GROUP, INC.; INDYMAC BANK,
FSB; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS;
REGIONAL TRUSTEE SERVICES; LENDER PROCESSING
SERVICES; FEDERAL DEPOSIT INSURANCE CORP.; FIDELITY
NATIONAL TITLE; and Doe Defendants 1 through 20, inclusive
Respondents.

**APPELLANT’S MOTION TO EXTEND DEADLINE FOR FILING
REPLY TO ANSWER TO PETITION FOR REVIEW**

Melissa A. Huelsman, WSBA #30935
Attorney for Appellant
Law Offices of Melissa A. Huelsman, P.S.
705 Second Avenue, Suite 601
Seattle, WA 98104
206-447-0103

I. MOTION

COMES NOW APPELLANT KRISTIN BAIN, by and through undersigned counsel, and moves this Court to Extend the Deadline for Filing the Reply to Answer to Appellant's Petition for Review for 20 days from today, September 4, 2018 to September 24, 2018. The Reply was originally due on August 22, 2018.

Ms. Huelsman is a solo practitioner with a busy litigation practice in a practice area where clients often come to her after exhausting many other options. *See*, Declaration of Melissa A. Huelsman filed in support of this Motion. ("Huelsman Dec.")

She was away from her practice for three weeks in August, including a pre-planned vacation overseas and then additional travel to visit with relatives who were in California from the East Coast. Ms. Huelsman had computer issues with her laptop while traveling overseas that took more than a week to fix, so her ability to work remotely while traveling was significantly curtailed. *Id.*

The week prior to her departure, she was in trial in King County Superior Court and had to do follow-up work on that matter and other cases that had immediate issues that had to be addressed. Thus, Ms. Huelsman had a limited period of time to prepare a Reply to the Response. *Id.*

Ms. Huelsman's current problem is that she broke her leg in three places while traveling and had to undergo surgery last week to repair the fractures. Since then, Ms. Huelsman has been recovering at home and is under heavy pain medication, which is limiting the hours she is able to concentrate and work. *Id.* Ms. Huelsman expects that she will be back to better functionality next week absent any complications.

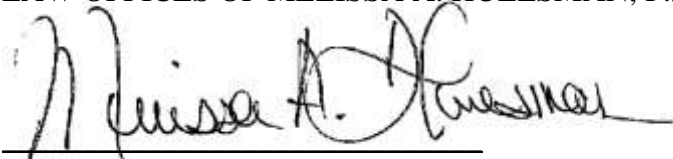
Appellant respectfully moves the court to extend the deadline for filing her Reply to September 24, 2018 and apologizes for the delay.

II. CONCLUSION

Based upon the foregoing, Ms. Bain requests that the deadline for filing the Reply to Answer to Appellant's Petition for Review be moved to September 24, 2018.

Respectfully submitted this September 4, 2018,

LAW OFFICES OF MELISSA A. HUELSMAN, P.S.

A handwritten signature in black ink that reads "Melissa A. Huelsman". The signature is written in a cursive style with a horizontal line underneath it.

Melissa A. Huelsman, WSBA 30935
Attorney for Appellant Kristin Bain
705 Second Avenue, Suite 601
Seattle, WA 98104
Telephone: (206) 447-0103
Facsimile: (206) 673-8220
Email: mhuelsman@predatorylendinglaw.com

CERTIFICATE OF SERVICE

I, Tony Dondero, declare under penalty of perjury as follows:

I am over the age of eighteen years, a citizen of the United States, not a party herein, and am competent to testify to the facts set forth in this Declaration.

That on September 4, 2018, I caused the foregoing document attached to this Certificate of Service plus any supporting documents, declarations and exhibits to be served upon the following individuals via the methods outlined below:

Fred Burnside Hugh McCullough Davis Wright Tremaine 1201 Third Avenue Suite 2200 Seattle, WA 98101-3045 Ph: 206-757-8016 Fax: 206-757-7016 Email: fredburnside@dwt.com hughmccullough@dwt.com Attorneys for Mortgage Electronic Registration Systems	<input type="checkbox"/> Legal Messenger <input checked="" type="checkbox"/> Electronic Mail <input type="checkbox"/> Federal Express <input type="checkbox"/> Other: <u>Regular U.S. mail,</u> <u>postage prepaid</u>
Richard E. Spoonemore Siranni Youtz Spoonemore Hamburger 999 Third Avenue Suite 3650 Seattle, WA 98104 Ph: 206-223-0246 Email: rspoonemore@sylaw.com Attorney for Fidelity National Title, Lender Processing Services, Inc.	<input type="checkbox"/> Legal Messenger <input checked="" type="checkbox"/> Electronic Mail <input type="checkbox"/> Federal Express <input type="checkbox"/> Other: <u>Regular U.S. mail,</u> <u>postage prepaid</u>
Thomas F. Peterson Socius Law Group, PLLC	<input type="checkbox"/> Legal Messenger <input checked="" type="checkbox"/> Electronic Mail

Two Union Square 601 Union St. Suite 4950 Seattle, WA 98101-4000 Ph: 206-838-9139 Email: tpeterson@sociuslaw.com Attorney for Fidelity National Title	<input type="checkbox"/> Federal Express <input type="checkbox"/> Other: <u>Regular U.S. mail, postage</u>
Christine M. Tobin-Presser Bush Kornfeld LLP 601 Union Street Suite 5000 Seattle, WA 98101 ctobin@bskd.com	<input type="checkbox"/> Legal Messenger <input checked="" type="checkbox"/> Electronic Mail <input type="checkbox"/> Federal Express <input type="checkbox"/> Other: <u>Regular U.S. mail, postage prepaid</u>

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

Dated September 4, 2018, at Seattle, Washington.



Tony Dondero, Paralegal

**Supreme Court No. 960321
Appeals Case No. 75946-9-I**

**IN THE COURT OF APPEALS
OF THE STATE OF WASHINGTON
DIVISION I**

KRISTIN BAIN,

Appellant,

v.

METROPOLITAN MORTGAGE GROUP, INC.; INDYMAC BANK,
FSB; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS;
REGIONAL TRUSTEE SERVICES; LENDER PROCESSING
SERVICES; FEDERAL DEPOSIT INSURANCE CORP.; FIDELITY
NATIONAL TITLE; and Doe Defendants 1 through 20, inclusive
Respondents

**DECLARATION OF MELISSA A. HUELSMAN IN SUPPORT OF
APPELLANT'S MOTION TO EXTEND DEADLINE FOR FILING
APPELLANT'S REPLY TO ANSWER TO PETITION FOR
REVIEW**

Melissa A. Huelsman, WSBA 30935
Attorney for Appellant
Law Offices of Melissa A. Huelsman, P.S.
705 Second Avenue, Suite 601
Seattle, WA 98104
206-447-0103

I, Melissa A. Huelsman, declare:

1. I am the attorney for the Appellant herein. I have personal knowledge of the facts as stated herein and if called upon to testify to the truth thereof, I could and would do so.

2. I am a solo practitioner with a busy litigation practice in a practice area where clients often come to me after exhausting many other options.

3. I was away from my practice for three weeks in August, including a pre-planned vacation overseas and then additional travel to visit with relatives who were in California from the East Coast. I had computer issues with my laptop while traveling overseas that took more than a week to fix, so my ability to work remotely while traveling was significantly curtailed.

4. The week prior to my departure, I was in trial in King County Superior Court and had to do follow-up work on that matter and other cases that had immediate issues that had to be addressed. Thus, I had a limited period of time to prepare a Reply to the Response.

5. My current problem is that I broke my leg in three places while traveling and had to undergo surgery last week to repair the fractures. Since then, I have been recovering at home and am under heavy pain medication, which is limiting the hours I am able to concentrate and work.

SIGNED under penalty of perjury of the laws of the State of
Washington, this 4 September 2018, at Seattle, Washington.

A handwritten signature in black ink, reading "Melissa A. Huelsman". The signature is written in a cursive style with a large initial "M".

Melissa A. Huelsman, WSBA # 30935
Attorney for Appellant Bain

CERTIFICATE OF SERVICE

I, Tony Dondero, declare under penalty of perjury as follows:

I am over the age of eighteen years, a citizen of the United States, not a party herein, and am competent to testify to the facts set forth in this Declaration.

That on September 4, 2018, I caused the foregoing document attached to this Certificate of Service plus any supporting documents, declarations and exhibits to be served upon the following individuals via the methods outlined below:

Fred Burnside Hugh McCullough Davis Wright Tremaine 1201 Third Avenue Suite 2200 Seattle, WA 98101-3045 Ph: 206-757-8016 Fax: 206-757-7016 Email: fredburnside@dwt.com hughmccullough@dwt.com Attorneys for Mortgage Electronic Registration Systems	<input type="checkbox"/> Legal Messenger <input checked="" type="checkbox"/> Electronic Mail <input type="checkbox"/> Federal Express <input type="checkbox"/> Other: <u>Regular U.S. mail,</u> <u>postage prepaid</u>
Douglas Lowell Davies Advocates Law Group 2448 76 th Ave. SE #100 Mercer Island, WA 98040 Ph: 206-780-6880 Email: ddavies@advocateslg.com Attorney for IndyMac Bank, FDIC, Deutsche Bank National Trust Company, One West Bank FSB	<input type="checkbox"/> Legal Messenger <input checked="" type="checkbox"/> Electronic Mail <input type="checkbox"/> Federal Express <input type="checkbox"/> Other: <u>Regular U.S. mail,</u> <u>postage prepaid</u>
Richard E. Spoonemore Siranni Youtz Spoonemore Hamburger 999 Third Avenue Suite 3650 Seattle, WA 98104 Ph: 206-223-0246 Email: rspoonemore@sylaw.com	<input type="checkbox"/> Legal Messenger <input checked="" type="checkbox"/> Electronic Mail <input type="checkbox"/> Federal Express <input type="checkbox"/> Other: <u>Regular U.S. mail,</u> <u>postage prepaid</u>

Attorney for Fidelity National Title, Lender Processing Services, Inc.	
Denise M. Hamel Thomas F. Peterson Socius Law Group, PLLC Two Union Square 601 Union St. Suite 4950 Seattle, WA 98101-4000 Ph: 206-838-9139 Email: dhamel@sociuslaw.com tpeterson@sociuslaw.com Attorneys for Fidelity National Title	<input type="checkbox"/> Legal Messenger <input checked="" type="checkbox"/> Electronic Mail <input type="checkbox"/> Federal Express <input type="checkbox"/> Other: <u>Regular U.S. mail,</u> <u>postage</u>

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

Dated September 4, 2018, at Seattle, Washington.

/s/Tony Dondero
Tony Dondero, Paralegal

LAW OFFICES OF MELISSA HUELSMAN

September 04, 2018 - 6:02 PM

Transmittal Information

Filed with Court: Court of Appeals Division I
Appellate Court Case Number: 75946-9
Appellate Court Case Title: Kristin Bain, Appellant v. Metropolitan Mortgage Group, Inc., Respondent
Superior Court Case Number: 08-2-43438-9

The following documents have been uploaded:

- 759469_Motion_20180904175929D1605227_4838.pdf
This File Contains:
Motion 1 - Extend Time to File
The Original File Name was Motion to Extend Time - Reply ISO Petition for Review.pdf

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- rspoonemore@sylaw.com
- tpeterson@sociuslaw.com

Comments:

Sender Name: Tony Dondero - Email: paralegal@predatorylendinglaw.com

Filing on Behalf of: Melissa Ann Huelsman - Email: Mhuelsman@predatorylendinglaw.com (Alternate Email: paralegal@predatorylendinglaw.com)

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