

FILED
SUPREME COURT
STATE OF WASHINGTON
11/2/2018 12:02 PM
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No. 96422-0

THE SUPREME COURT OF WASHINGTON

Court of Appeals No. 347460

Spokane Superior Court No. 15-2-00545-1

In re:

ALLAN AND GINA MARGITAN,

Plaintiffs/Petitioners,

vs.

MARK AND JENIFER HANNA,

Defendants/Respondents.

**MOTION FOR ACCEPTANCE OF SECOND AMENDED
PETITION FOR DISCRETIONARY REVIEW**

JULIE C. WATTS/WSBA #43729
Attorney for Petitioners
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1. PERSON FILING THE MOTION

This motion is filed by Petitioners, Allan and Gina Margitan, through undersigned counsel.

2. RELIEF REQUESTED

Petitioners request that the Court accept their *Second Amended Petition for Discretionary Review*.

3. FACTS RELEVANT TO MOTION

Petitioners received Respondents' objection to the length of their petition on October 18, 2018; that same day, Petitioners' counsel immediately filed an *Amended Petition for Discretionary Review* that was shortened to 20 pages in response. This document was filed prior to receiving the letter from the Supreme Court Deputy Clerk, dated October 19, 2018, which indicated that the Court expects parties to append copies of the decisions on review. That document indicated that the Petitioner may serve and file an amended petition for review by November 2, 2018.

The *Second Amended Petition for Discretionary Review* includes copies of those decisions as *Appendix 1* and *Appendix 2* and was further shortened by approximately a page and a half for a total of approximately 18.5 pages.

4. GROUNDS FOR RELIEF

RAP 18.8(a) authorizes the Court to waive or alter provisions of any of the rules in order to serve the ends of justice. The *Second Amended Petition*

for Discretionary Review has been submitted for the purposes of complying with the Clerk's letter requesting that Petitioners append copies of the decisions being reviewed and to address the issue raised by Respondents regarding length.

Because Petitioners were granted the opportunity to file an amended document by November 2, 2018, and both documents were filed prior to that deadline, Petitioners request that the Court accept the *Second Amended Petition for Discretionary Review* as their amended petition rather than the *Amended Petition for Discretionary Review*.

Should the Court decide not to grant this motion, Petitioners withdraw their *Second Amended Petition for Discretionary Review* and rely on their *Amended Petition for Discretionary Review* filed on October 18, 2018.

RESPECTFULLY SUBMITTED this 2nd day of November, 2018,



JULIE C. WATTS/WSBA #43729
Attorney for Petitioners

THE LAW OFFICE OF JULIE C. WATTS, PLLC

November 02, 2018 - 12:02 PM

Transmittal Information

Filed with Court: Supreme Court
Appellate Court Case Number: 96422-0
Appellate Court Case Title: Allan Margitan, et ux. v. Spokane Regional Health District, et al.
Superior Court Case Number: 15-2-00545-1

The following documents have been uploaded:

- 964220_Motion_20181102115847SC837782_5822.pdf
This File Contains:
Motion 1 - Other
The Original File Name was MARGITAN v HANNA Motion for Acceptance of Second Amended Petition.pdf

A copy of the uploaded files will be sent to:

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Comments:

Motion for Acceptance of Second Amended Petition for Discretionary Review

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