

FILED
SUPREME COURT
STATE OF WASHINGTON
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BY ERIN L. LENNON
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No. 99895-7

SUPREME COURT
OF THE STATE OF WASHINGTON

US BANK NATIONAL
ASSOCIATION AS
LEGAL TITLE TRUSTEE
FOR TRUMAN 2016 SC6
TITLE TRUST, its
successors in interest
and/or assigns,

Respondents,

v.

TARMO PAUL
ROOSILD; SAMANTHA
CASTRONOVO;
OCCUPANTS OF THE
PREMISES,

Petitioners.

STATEMENT OF
ADDITIONAL
AUTHORITIES

(RAP 10.8)

Petitioner Samantha Castronovo submits the
following additional authorities in response to respondent

U.S. Bank’s argument this case is moot because petitioner redeemed the encumbered property, which had been previously purchased by U.S. Bank at a sheriff’s sale, by selling it to a third-party and using \$413,703.44 from that sale to satisfy U.S. Bank’s judgment against her. (See Answer 4-5)

McGary v. Westlake Invs., 99 Wn.2d 280, 284, 661 P.2d 971 (1983) (case was “[o]bviously” not moot because attorney fee requests gave petitioner a “monetary stake . . . in this action”);

Allstate Ins. Co. v. Bowen, 121 Wn. App. 879, 881, 91 P.3d 897 (2004) (“Because the indemnity issue on appeal directly affects the question of the award of attorney fees below and on appeal, that issue is not moot.”);

RAP 12.8 (“If a party has voluntarily or involuntarily partially or wholly satisfied a trial court decision which is modified by the appellate court, the trial court shall enter orders and authorize the issuance of process appropriate to

restore to the party any property taken from that party, the value of the property, or in appropriate circumstances, provide restitution”);

Restatement (First) of Restitution § 74 (1937) (“If the debtor’s property has been sold to a stranger and the proceeds paid to the judgment creditor, the judgment debtor is entitled to recover the amount thus received by the judgment creditor with interest”).

DATED this 6th day of October, 2021.

SMITH GOODFRIEND, P.S.

By: /s/ Ian C. Cairns

Ian C. Cairns

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Attorneys for Appellant
Samantha Castronovo

DECLARATION OF SERVICE

The undersigned declares under penalty of perjury, under the laws of the State of Washington, that the following is true and correct:

That on October 6, 2021, I arranged for service of the foregoing Statement of Additional Authorities (RAP 10.8), to the Court and to the parties to this action as follows:

Office of Clerk Washington Supreme Court Temple of Justice P.O. Box 40929 Olympia, WA 98504-0929	<input type="checkbox"/> Facsimile <input type="checkbox"/> Messenger <input type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> E-File
Michael J. Farrell David W. Cramer MB Law Group, LLP 17 SW Taylor Street, Suite 200 Portland, OR 97204 3029 mfarrell@mblglaw.com dcramer@mblglaw.com	<input type="checkbox"/> Facsimile <input type="checkbox"/> Messenger <input type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> E-Mail
John D. Groseclose G S Jones Law Group, P.S. 1155 Bethel Avenue Port Orchard, WA 98366 3125 john@gsjoneslaw.com	<input type="checkbox"/> Facsimile <input type="checkbox"/> Messenger <input type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> E-Mail

DATED at Seattle, Washington this 6th day
of October, 2021.

/s/ Andrienne E. Pilapil
Andrienne E. Pilapil

SMITH GOODFRIEND, PS

October 06, 2021 - 1:25 PM

Transmittal Information

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Appellate Court Case Title: US Bank National Association v. Tarmo Roosild and Samantha Castronovo
Superior Court Case Number: 17-2-00504-7

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