

FILED

OCT 22 2015

COURT OF APPEALS
DIVISION III
STATE OF WASHINGTON

No.323668 - III
(Consolidated with No. 330257-III)

**IN THE COURT OF APPEALS, DIVISION III
FOR THE STATE OF WASHINGTON**

HELENE M. RAUN,

Plaintiff-Appellant,

vs.

JOHN H. CAUDILL, *et al.*

Defendants-Respondents.

RESPONDENT CAUDILL INVESTORS' JOINDER IN
BRIEF OF RESPONDENT JOHN GLEESING AND INCORPORATION
OF PRIOR BRIEF OF RESPONDENT CAUDILL INVESTORS DATED
OCTOBER 13, 2014

John D. Munding, WSBA No. 21734
Crumb & Munding, P.S.
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(509) 624-6464
Attorneys for Respondent

I. Joinder of Co-Respondent Brief

The following respondents John H. Caudill and Lucille J. Caudill, as Trustees for the Caudill Living Trust dated November 1, 2000, Wanell J. Barton, as Trustee for the Wanell J. Barton Family Trust dated May 7, 1998 and any amendments, Earl L. Boettcher and Mary C. Boettcher, as Trustees for the Boettcher Living Trust dated May 12, 1992, Belva M. Williams, Larry Loutherbach and Shanna Loutherbach, as Trustees of the Loutherbach Living Trust dated February 9, 2001, and Dale Walker and Carol Walker, the “Caudill Investors”, hereby respectfully submit this joinder in the arguments and legal authority presented in the responsive brief filed by Co-Respondent John Gleesing in this Consolidated Appeal. Co-Respondent John Gleesing’s brief is dated October 2, 2015.

II. Incorporation of Respondent Caudill Investors Brief Dated October 13, 2014

This matter is a Consolidated Appeal referenced by Case Numbers 323668 – III and 330257 – III. The Respondent Caudill Investors previously submitted their Responsive Brief to this Court on October 13, 2014 under Case Number 323668 – III.

III. Conclusion

Based upon the foregoing Joinder in Respondent John Gleesing’s Brief dated October 2, 2015, and upon the Responsive Brief of the Caudill

Investors dated October 13, 2014, it is respectfully requested this Court enter an Order:

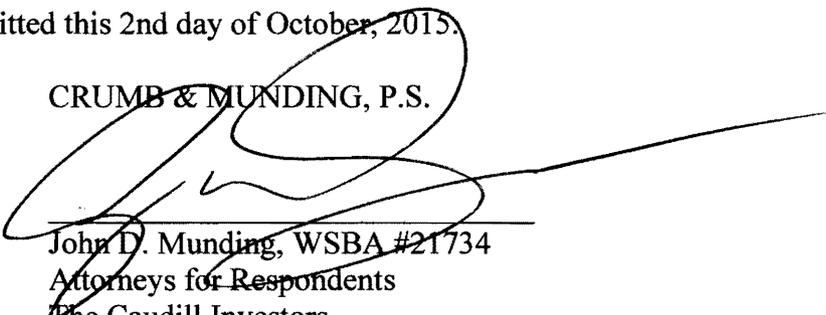
1. Affirming the trial court's Order Granting in Part and Denying in Part Defendant's Motion to Dismiss for Failure to State a Claim Upon Which Relief May be Granted And Affirmative Defenses, entered on February 4, 2013.

2. Affirming the trial court's Order Granting: (1) the Caudill Investors' Motion for Summary Judgment; and (2) Defendant John P. Gleesing's Motion for Summary Judgment, entered on February 7, 2014.

3. Awarding Respondents attorney fees and costs pursuant to RAP 18.1.

Respectfully submitted this 2nd day of October, 2015.

CRUMB & MUNDING, P.S.



John D. Munding, WSBA #21734
Attorneys for Respondents
The Caudill Investors

CERTIFICATE OF SERVICE

I hereby certify that on the 2nd day of October, 2015, I caused to be served a true and correct copy of *Respondent Caudill Investors' Joinder in Brief of Respondent John Gleesing and Incorporation of Prior Brief of Respondent Caudill Investors Dated October 13, 2014*, to the following attorneys of record as follows:

- HAND DELIVERY
- U.S. MAIL
- OVERNIGHT MAIL
- FACSIMILE
- EMAIL

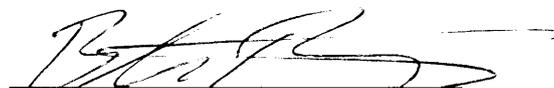
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- U.S. MAIL
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Dated this 2nd day of October, 2015.

CRUMB & MUNDING, P.S.



BLAKE A. ROBERTSON