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SUPREME COURT
STATE OF WASHINGTON

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Supreme Court No. 79967-9

Court of Appeals No. 25217-5-III

IN THE SUPREME COURT OF WASHINGTON

FEATURE REALTY, INC., et al.,

Appellants,

v.

KIRKPATRICK & LOCKHART PRESTON GATES
ELLIS, LLP (f/k/a PRESTON GATES & ELLIS LLP); et al.

Respondents.

RESPONDENTS' DESIGNATION
OF ADDITIONAL AUTHORITIES

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Pursuant to RAP 10.8, Respondents submit the following list of additional authorities:

A. Two Dismissal Rule

1. *Engelhardt v. Bell & Howell Co.*, 299 F.2d 480 (8th Cir. 1962) (applying two dismissal rule to bar third suit; first suit dismissed on plaintiff's notice of dismissal after court had quashed service of process on the defendant) (cited in *Spokane County v. Specialty Auto*, 153 Wn.2d 238, 247, 103 P.3d 792 (2004));

2. *Waters v. Castillo*, 755 A.2d 478 (D.C. Ct. App. 2000) (dismissing based on two dismissal rule; fact that first suit voluntarily dismissed was filed "inadvertently" is of no consequence; "inadvertence" defense "not supported by statute, rule or precedent"); and

B. Statute of Limitations

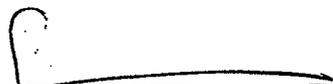
3. *Offshore Express, Inc. v. Milbank, Tweed, et al.*, ___ F.3d ___, 2007 WL 760419 (S.D.N.Y.) (dismissing legal malpractice claims because statute of limitations had run) (law firm negligently represented client in transaction and subsequently represented same client in litigation arising out of the transaction; litigation work did not constitute continuation of transactional work, hence,

even under the continuing representation rule, the statute began to run when the transaction was completed).

DATED: June 5, 2007.

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FILED AS ATTACHMENT
TO E-MAIL



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