

83745-7
No. 36751-3-II

FILED
COURT OF APPEALS
DIVISION II

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STATE OF WASHINGTON
BY SD
DEPUTY

COURT OF APPEALS, DIVISION II
STATE OF WASHINGTON

STATE OF WASHINGTON
GAMBLING
COMMISSION,

Appellant and Cross-Respondent,

v.

ZDI GAMING INC.,

Respondent and Cross-Appellant.

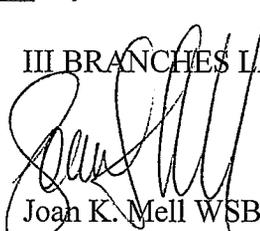
STATEMENT OF
ADDITIONAL AUTHORITY

Pursuant to RAP 10.8 Respondent and Cross-Appellant ZDI Gaming Inc., by and through its attorney of record, Joan K. Mell of the law firm III Branches Law, PLLC, makes the following statement of additional authority.

On October 30, 2008, the Supreme Court of the State of Washington filed its decision in *Costanich v. State of Washington Department of Social and Health Services* No. 80874-1 and have ruled that the compensation limit of \$25,000.00 as provided by RCW 4.84.350(2) the Equal Access to Justice Act applies to each level of judicial review.

Dated this 17th day of November, 2008

III BRANCHES LAW, PLLC


Joan K. Mell WSBA #21319

Attorney for Respondent and Cross-Appellant

ORIGINAL

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CERTIFICATION OF
SERVICE

I certify that on November 17, 2008, I caused a true and correct copy of ZDI Gaming Inc's. Statement of Additional Authority in the above captioned matter to be served upon the parties herein via U.S. Mail, as indicated below:

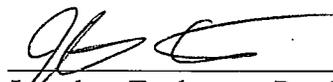
Court of Appeals, Division II
950 Broadway, Suite 300
Tacoma, WA 98402

Jerry Ackerman, AAG
1125 Washington St. SE
Olympia, WA 98504

I certify under penalty of perjury under the laws of the state of Washington the the above information is true and correct.

Dated this 17th day of November, 2008 at Fircrest, WA

ORIGINAL



Jonathan Tretheway, Paralegal to
Joan K. Mell WSBA #21319