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SUPREME COURT  
STATE OF WASHINGTON  
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SUPREME COURT  
OF THE STATE OF WASHINGTON

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CHRISTA L. ALBICE, a married  
woman, and BART A. TECCA and  
KAREN L. TECCA, husband and wife,

Respondents,

v.

PREMIER MORTGAGE SERVICES  
OF WASHINGTON, INC., a  
Washington Corporation; OPTION ONE  
MORTGAGE CORPORATION, a  
California Corporation,

Defendants,

RON DICKINSON and "JANE DOE"  
DICKINSON, husband and wife,

Petitioners.

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RON DICKINSON,

Petitioner,

v.

CHRISTA L. ALBICE fka CHRISTA L.  
DEYOUNG and BART A. TECCA and  
KAREN L. TECCA, husband and wife;  
Any Subtenants, and All Others Acting  
By or Through Them,

Respondents.

NO. 85260-0

THIRD  
STATEMENT OF  
ADDITIONAL  
AUTHORITIES

ORIGINAL

COME NOW petitioners Dickinson and submit the following additional authorities to the Court pursuant to RAP 10.8 in response to questions arising during oral argument on September 22, 2011:

- CP 454, 993 (plaintiffs admit they defaulted on loan, received notice of default, and notice of trustee sale);
- CP 259, 454, 998 (payments were late on forbearance agreement);
- CP 460-61 (forbearance agreement made time of essence on payments (¶ 4d.), and did not require mortgage company to withdraw pending trustee sale (¶ 10));
- CP 300-02 (call to home was wrong number, but mortgage company repeatedly called plaintiffs' business number and left messages prior to sale);
- CP 277-78, 468 (plaintiffs had notice at least on February 10, 2007, 6 days before trustee sale, that their Western Union payment to mortgage company on forbearance agreement was rejected);
- CP 999, 1031 (Karen Tecca admits in her 5/18/07 declaration that she received letter on February 10, 2007, before the trustee sale, declining her last payment on the forbearance agreement);
- CP 1069, 1078 (electronic version of actual letter sent in ordinary course of business to plaintiffs dated January 31, 2007 re: breach of forbearance agreement);
- CP 1055-63 (correspondence between plaintiffs' counsel and counsel for mortgage company regarding January 31, 2007 letter);
- CP 1002 (plaintiffs admit they did not file injunction action);
- *Glaser v. Holdorf*, 56 Wn.2d 204, 215, 352 P.2d 212 (1960) (burden of proving prospective BFP had notice of another's claim of right rests with party challenging BFP status).

DATED this 23<sup>d</sup> day of September, 2011.

Respectfully submitted,



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Attorneys for Petitioners  
Ron and Cheryl Dickinson

DECLARATION OF SERVICE

On said day below I emailed and deposited in the U.S. Mail a true and accurate copy of the following document: Third Statement of Additional Authorities in Supreme Court Cause No. 85260-0 to the following:

Dick Ditlevson  
Ditlevson Rodgers Dixon, P.S.  
324 West Bay Dr. NW, Suite 201  
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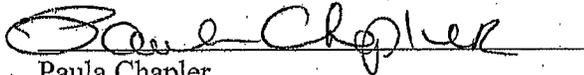
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Washington Supreme Court  
Clerk's Office  
415 12<sup>th</sup> Street W  
Olympia, WA 98504-0929

I declare under penalty of perjury under the laws of the State of Washington and the United States that the foregoing is true and correct.

DATED: September 23, 2011, at Tukwila, Washington.



Paula Chapler  
Talmadge/Fitzpatrick