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SUPREME COURT
STATE OF WASHINGTON
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D.R.
PA ✓
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SUPREME COURT
OF THE STATE OF WASHINGTON

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STEVEN AND KAREN DONATELLI,

Respondents,

v.

D.R. STRONG CONSULTING
ENGINEERS, INC.,

Petitioner.

No. 86590-6

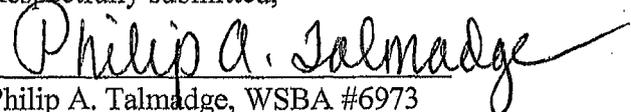
FOURTH
STATEMENT OF
ADDITIONAL
AUTHORITY

COMES NOW the petitioner D.R. Strong Consulting Engineers,
Inc., and submits the following additional authority to the Court pursuant
to RAP 10.8:

- *Austin v. Ettl*, ___ Wn. App. ___, __ P.3d ___, 2012 WL 4510867 (2012) (no independent duty where pre-*Eastwood* case held that there was no common law or statutory duty to disclose cost of future development).

DATED this 5th day of October, 2012.

Respectfully submitted,



Philip A. Talmadge, WSBA #6973
Talmadge/Fitzpatrick
18010 Southcenter Parkway
Tukwila, WA 98188
(206) 574-6661

Michael J. Bond, WSBA #9154
Schedler Bond PLLC
2448 76th Avenue SE, Suite 202
Mercer Island, WA 98040
Attorneys for Petitioner
D.R. Strong Consulting Engineers, Inc.

DECLARATION OF SERVICE

On said day below I emailed a courtesy copy and put in the U.S. Mail a hard copy for service a true and accurate copy of the Fourth Statement of Additional Authority in Supreme Court Cause No. 86590-6 to the following parties:

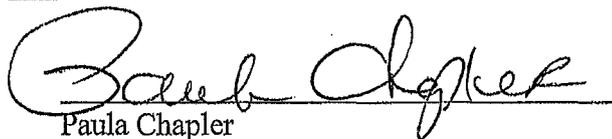
Justin D. Park
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Original efiled with:
Washington Supreme Court
Clerk's Office
415 12th Street West
Olympia, WA 98504-0929

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: October 5, 2012, at Tukwila, Washington.



Paula Chapler
Talmadge/Fitzpatrick

OFFICE RECEPTIONIST, CLERK

To: Paula Chapler
Subject: RE: Donatelli v. D.R. Strong --- Cause No. 86590-6

Rec'd 10-5-12

Please note that any pleading filed as an attachment to e-mail will be treated as the original. Therefore, if a filing is by e-mail attachment, it is not necessary to mail to the court the original of the document.

From: Paula Chapler [<mailto:paula@tal-fitzlaw.com>]
Sent: Friday, October 05, 2012 2:07 PM
To: OFFICE RECEPTIONIST, CLERK
Subject: Donatelli v. D.R. Strong --- Cause No. 86590-6

Per Mr. Talmadge's request, attached is the Fourth Statement of Additional Authority for filing in the following case:

Case Name: Steven and Karen Donatelli v. D.R. Strong Consulting Engineers, Inc.
Cause No. 86590-6
Attorney: Philip A. Talmadge, WSBA #6973
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Sincerely,

Paula Chapler
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