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SUPREME COURT
STATE OF WASHINGTON
Jun 25, 2012, 10:56 am
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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

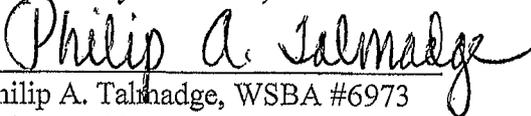
STATEMENT OF
ADDITIONAL
AUTHORITIES

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

- *Jackowski v. Borchelt*, ___ Wn.2d ___, ___ P.3d ___, 2012 WL 2146781 (2012) (“Because the duty to not commit fraud is independent of the contract, the independent duty doctrine permits a party to pursue a fraud claim regardless of whether a contract exists. . . The same is true for a claim of negligent misrepresentation, but only to the extent the duty to not commit negligent misrepresentation is independent of the contract.” (*8));
- CP 95 (trial court stated with respect to CPA claim: “The ‘deceptive act’ complained of arises no more than a dispute over the contract and for duties related to it.”).

DATED this 25th day of June, 2012.

Respectfully submitted,



Philip A. Talmadge, WSBA #6973
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(206) 574-6661

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Attorneys for Petitioner
D.R. Strong Consulting Engineers, Inc.

DECLARATION OF SERVICE

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

Justin D. Park
Romero Park & Wiggins P.S.
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Michael J. Bond
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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: June 25, 2012, at Tukwila, Washington.



Paula Chapler
Talmadge/Fitzpatrick

OFFICE RECEPTIONIST, CLERK

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

Received 6/25/12

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: Monday, June 25, 2012 10:55 AM
To: OFFICE RECEPTIONIST, CLERK
Subject: Donatelli v. D.R. Strong Consulting Engineers, Inc. --Cause No. 86590-6

Per Mr. Talmadge's request, attached please find the Statement of Additional Authorities 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,

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