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No. 88853-1

IN THE SUPREME COURT
OF THE STATE OF WASHINGTON

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BANK OF AMERICA, N.A.

Petitioner,

v.

MICHAEL FULBRIGHT, et ux.,

Respondents.

FILED
SUPREME COURT
STATE OF WASHINGTON
2013 OCT 14 A 10:44
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ANSWER TO SUPPLEMENTAL AMICUS MOTION

of

MICHAEL FULBRIGHT

For a Published Decision of

The Court of Appeals (Division One), No. 67608-3-1

Michael Fulbright, WSBA #11821
Respondent
Law Office of Michael Fulbright
11820 Northup Way, #E200
Bellevue, WA 98005
(425) 284-3081

 ORIGINAL

This Answer by Respondent Michael G. Fulbright (“Fulbright”) is in response to the Supplemental Amicus Motion of the American College of Mortgage Attorneys (the “Mortgage Attorneys”) that was filed and served on October 4, 2013.

A. Procedural Background.

This Court previously granted the Mortgage Attorneys leave to file an *amicus curie* memorandum. The Amicus Memorandum of American College of Mortgage Attorneys in Support of Petition for Review (the “Amicus Memorandum”) was filed on or about July 8, 2013. The Amicus Memorandum focused on the underlying merits of this case, rather than the standards for granting a petition for review. Fulbright’s Answer to Amicus Memorandum was filed on August 12, 2013.

The Petition for Review in this matter was granted. Appellant Bank of America, N.A. (“Bank of America”) and Fulbright each filed supplemental briefs with this Court on October 4, 2013.

B. Response to Supplemental Amicus Motion.

The Supplemental Amicus Motion moves for leave to continue as *amicus curie* in this case and more specifically moves that this Court (1) consider the Amicus Memorandum in the determination of this case on the merits, and (2) allow the Mortgage Attorneys to participate in oral argument. Supplemental Amicus Motion at 1-2.

Fulbright understood that this Court would consider the Amicus Memorandum and the Answer to Amicus Memorandum, even without the filing of the Supplemental Amicus Motion. Fulbright has no objection to the Court's consideration of the Amicus Memorandum and the Answer to Amicus Memorandum in deciding this case.

As for the Mortgage Attorney's oral argument request, Fulbright respectfully submits that a large institution like Bank of America and its team of attorneys is more than capable of representing the interests of the lending community in oral argument against an individual and sole practitioner. If this Court allows the Mortgage Attorneys to participate in oral argument, however, Fulbright respectfully requests that the Mortgage Attorneys be limited to the matters raised in their Amicus Memorandum. The Mortgage Attorneys should not be permitted to raise any new arguments or issues for the first time in oral argument.

RESPECTFULLY SUBMITTED this 11th day of October, 2013.

LAW OFFICE OF MICHAEL FULBRIGHT



Michael Fulbright, WSBA #11821
Attorney for Respondents
11820 Northup Way, Suite E200
Bellevue, WA 98005
(425) 284-3081

CERTIFICATE OF MAILING

I certify that I mailed a copy of the foregoing Answer to Supplemental Amicus Motion to the Appellant's and Amicus' attorneys listed below, at the addresses listed below, postage prepaid, on October 11, 2013.

Brian S. Sommer & Steven K. Linkon
RCO Legal, P.S.
13555 SE 36th Street, Suite 300
Bellevue, WA 98006

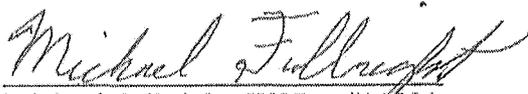
Douglas E. Winter
Bryan Cave LLP
1155 F Street N.W.
Washington DC 20004

Douglas J. Smart
Graham & Dunn PC
Pier 70
2801 Alaskan Way, Suite 300
Seattle, WA 98121

I also certify that I emailed copies to each of the attorneys listed above on October 11, 2013.

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

Signed at Bellevue, Washington, on October 11, 2013.


Michael Fulbright, WSBA #11821

OFFICE RECEPTIONIST, CLERK

From: OFFICE RECEPTIONIST, CLERK
Sent: Friday, October 11, 2013 2:57 PM
To: 'Mike Fulbright'
Cc: 'Brian Sommer'; 'Steven K. Linkon'; dewinter@bryancave.com; dsmart@grahamdunn.com
Subject: RE: Filing Answer to Supplemental Amicus Motion

Rec'd 10-11-13

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: Mike Fulbright [<mailto:mike@fulbrightlegal.com>]
Sent: Friday, October 11, 2013 2:54 PM
To: OFFICE RECEPTIONIST, CLERK
Cc: 'Brian Sommer'; 'Steven K. Linkon'; dewinter@bryancave.com; dsmart@grahamdunn.com
Subject: Filing Answer to Supplemental Amicus Motion

Sir or Madame,

Please file the attached Answer to Supplemental Amicus Motion for the following:

Case Name: Bank of America, N.A. v. Michael Fulbright, et ux.
Supreme Court Case No. 88853-1.

Bank of America, N.A. is the successor by merger to the original Plaintiff, BAC Home Loans Servicing.

My contact info:

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mike@fulbrightlegal.com

Page 3 of the Answer is a Certificate of Mailing to Petitioner's attorneys and the Amicus attorney.

Yours truly,

Mike Fulbright
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Bellevue, WA 98005