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SUPREME COURT  
STATE OF WASHINGTON  
Aug 22, 2014, 2:32 pm  
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CLERK

Supreme Court No. 89343-8

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IN THE SUPREME COURT  
OF THE STATE OF WASHINGTON

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FLORENCE FRIAS,  
Plaintiff,

v.

ASSET FORECLOSURE SERVICES, INC.; LSI TITLE AGENCY, INC.;  
U.S. BANK, N.A.; MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC.; and DOE DEFENDANTS 1 through 20,  
Defendants.

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**STATEMENT OF ADDITIONAL AUTHORITY**

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ORIGINAL

Pursuant to RAP 10.8, *amici curiae* Northwest Justice Project (NJP), Northwest Consumer Law Center (NWCLC) and Columbia Legal Services (CLS) respectfully submit the following additional authority in this matter:

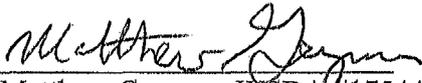
*Knecht v. Fidelity Nat'l Title Ins. Co.*, 2014 WL 4057148, \*8-\*9 (W.D. Wash. Aug. 14, 2014) (“The Deed of Trust Act itself permits a cause of action against a beneficiary and a trustee who wrongfully initiate foreclosure proceedings, even where no trustee's sale occurred. *Walker*, 308 P.3d at 720 (eschewing, 'wrongful foreclosure' label, characterizing borrower's claim 'as a claim for damages arising from DTA violations'). . . . Mr. Knecht has evidence of damages caused by MERS's and DB [Deutsche Bank]'s conduct. Mr. Knecht did what many homeowners faced with the prospect of foreclosure would do: he investigated. His evidence establishes that he spent substantial time on that investigation, and that suffices to establish a CPA injury. *Walker*, 308 P.3d at 727 ('Investigative expenses, taking time off from work, travel expenses, and attorney fees are sufficient to establish injury under the CPA.'). DB and MERS insist that the cause of Mr. Knecht's injury was his default, not their wrongdoing, but they are mistaken. If a jury concludes that DB had no authority to foreclose, then a trier of fact could infer that the cause of his need to investigate was DB's wrongfully-initiated foreclosure proceedings. Mr. Knecht already knew he was in default on his loan; he

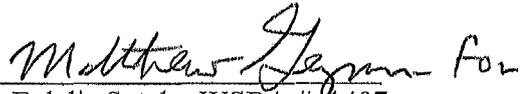
appears to never have disputed that.") (citing *Walker v. Quality Loan Serv. Corp.*, 175 Wn. App. 294, 308 P.3d 716, 720 & 727 (2013)).

DATED this 22 day of August, 2014.

COLUMBIA LEGAL SERVICES

NORTHWEST JUSTICE PROJECT

  
Matthew Geyman, WSBA #17544

  
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DECLARATION OF SERVICE

I, Annabell Joya, a legal assistant at Columbia Legal Services, certify under penalty of perjury under the laws of the State of Washington that on this day I caused a copy of the foregoing to be served by first-class mail, postage prepaid, upon the following counsel of record:

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DATED at Seattle, Washington, this 22 day of August, 2014.

  
\_\_\_\_\_  
Annabell Joya

## OFFICE RECEPTIONIST, CLERK

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**To:** Annabell Joya  
**Subject:** RE: Frias v. Asset Foreclosure Services, Inc. et al., Case No. 89343-8

All received.

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:** Annabell Joya [mailto:Annabell.Joya@ColumbiaLegal.org]  
**Sent:** Friday, August 22, 2014 2:25 PM  
**To:** OFFICE RECEPTIONIST, CLERK  
**Subject:** Frias v. Asset Foreclosure Services, Inc. et al., Case No. 89343-8

Dear Clerk,

Attached is the following document for filing with the Court:

- Statement of Additional Authority

This has been served today upon all counsel of record by first-class mail, postage prepaid.

The case name, case number, and name, phone number, bar number and email address of the attorney filing the document are:

Frias v. Asset Foreclosure Services, Inc. et al., No. 89343-8, filed by Matthew Geyman, WSBA #17544, (206) 287-9661, [matt.geyman@columbialegal.org](mailto:matt.geyman@columbialegal.org).

Thank you.

**Annabell Joya, Legal Assistant**  
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Working Families Project and Basic Human Needs Project

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