

SUPREME COURT
OF THE STATE OF WASHINGTON

JOSETTE TAYLOR as Personal
Representative of the Estate of FRED E.
TAYLOR, deceased; and on behalf of the
Estate of FRED E. TAYLOR; and JOSETTE
TAYLOR, individually,

Petitioners,

vs.

INTUITIVE SURGICAL, INC., a foreign
corporation doing business in Washington,

Respondent.

No. 92210-1

STATEMENT OF
ADDITIONAL
AUTHORITIES

COMES NOW respondent Intuitive Surgical, Inc. ("Intuitive") and
submits the following additional authorities to the Court pursuant to RAP
10.8:

- RCW 7.72.010(5) (defines a "claimant" as a person or entity asserting a product liability claim, including any person or entity suffering "harm" as defined in RCW 7.72.010(6));
- *Grove v. Peacehealth St. Joseph Hosp.*, 182 Wn.2d 136, 341 P.3d 261 (2014) (patient may state a cause of action under RCW 7.70 against a hospital for the negligence of its surgical team of surgeons, physician assistants, nurses, and other hospital staff because hospital was a "health care provider" under RCW 7.70);
- *Webb v. Special Electric Co., Inc.*, ___ P.3d ___, 2016 WL 2956882, 16 Cal. Daily Op. Serv. 5288 (May 23, 2016) (negligence standard governs duty to warn in comment k cases; no duty to warn sophisticated buyer of obvious dangers).

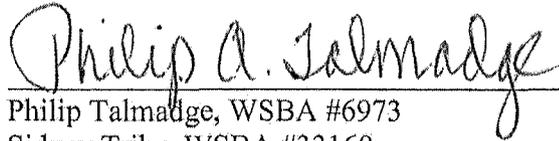
Statement of Additional Authorities - 1

Talmadge/Fitzpatrick/Tribe
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(206) 574-6661



DATED this 6th day of June, 2016.

Respectfully Submitted,



Philip Talmadge, WSBA #6973

Sidney Tribe, WSBA #33160

Talmadge/Fitzpatrick/Tribe

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Attorneys for Respondent

Intuitive Surgical, Inc.

DECLARATION OF SERVICE

On said day below I electronically served a true and accurate copy of the Statement of Additional Authorities in Supreme Court Cause No. 92210-1 to the following parties:

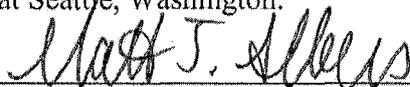
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Original e-filed with:
Washington Supreme Court
Clerk's Office

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 6, 2016, at Seattle, Washington.



Matt J. Albers, Paralegal
Talmadge/Fitzpatrick/Tribe

TALMADGE/FITZPATRICK/TRIBE

June 06, 2016 - 12:03 PM

Confirmation of Filing

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Appellate Court Case Title: Josette Taylor; Estate of Fred E. Taylor v. Intuitive Surgical Inc.

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