69375-1

Title Page
Appellant Opening Brief
(Rule 10.3)
Washington State Superior Court
No. ~~868844~~

Re: Snohomish County Superior Court, No. 08-2-05880-6

Gregory Robert Swilling.
Respondent

v

Susan Fay Benaston.
Appellant

Brief of Appellant

Attorney For Appellant:
Self: Pro Se

16526 87th Ave. S.W.
Vashon, WA. 98070
425-345-2377
Washington State Bar Assoc. #: NA

RECEIVED
SUPREME COURT
STATE OF WASHINGTON
2012 JUL 30 P 4:47
BY RONALD R. CARPENTER

Opening Brief

I. Introduction-Appellant

Rule 10.3

Re: WA. State Superior Court No. 86884-1
Snohomish County Superior Court No. 08-2-05880-6
Gregory Robert Swilling, Respondent
v
Susan Fay Bengston, Appellant

I am requesting your Honorable Washington State Supreme Court to enter an Order Vacating the Judgement made against me, Susan Fay Bengston, on 16TH December, 2011 in Snohomish County Superior Court.

I beg your Honors acceptance of my Brief and respectfully submit my statements as True and Honest. The Hearing I am addressing, regretfully was not recorded by said Court in any Form. I hope to convey to you the truely damaging injustice I suffered throughout the Hearing and Far beyond that Courtroom by the Judgement pronounced against me.

Dated: 7/29/2012 Signed: Susan Fay Bengston
Appellant

II. ASSIGNMENTS OF ERROR

Assignments of Error

No. 1 - The Trial Court erred on 16th December, 2011 by accepting and addressing a motion to "Evict" Ms. Bengston from her Home and Property.

No. 2 - The Trial Court erred on 16th December, 2011 by accepting and addressing a motion with Defendant/Appellant wrongly named.

No. 3 - The Trial Court erred on 16th December, 2011 by not enforcing 15 min. per side to speak.

No. 4 - The Trial Court erred on 16th December, 2011 by giving Legal council during Trial to Mr. Swillings Att. then manually correcting unacceptable motion to create a Legal Document for Mr. Swilling and his Att.

No. 5 - The Trial Court erred on 16th December by imposing impossible parameters in Judgement and allowing no Defensive rebuttal from Ms. Bengston.

Issues Pertaining to Assignments of Error

1. Can the Court accept and pass Judgement with an illegally worded Motion? (Assignment of Error 1)
2. Can the Court accept and pass Judgement on a Defendant who is wrongly named in a Motion? (Assignment of Error 2)
3. Is the Court free to wave the alternating 15 min. per side to speak rule? i.e. Allowing Mr. Swillings Att. to speak as often and as long as she desired, but cutting off Ms. Benaston within less than a minute and gesturing her to be silent? (Assigments of Error 3)
4. Is the Court allowed to take a Defensive statement uttered in Trial by a Defendant, repeat and explain to the Plaintiffs Att.? i.e. "A Homeowner cannot be "Evicted", they have to be "Ejected". Is the Court then allowed to immediately alter almost every word in the Motion to create a Legal Document to act on? (Assignment of Error 4)
5. Is the Court allowed pass Judgement from the altered Motion and rule to eject Ms. Benaston From her Home and Property within 10 days of trial, after 18 yrs. ownership and not allow a plea or rebuttal? (Assignment of Error 5)

III. Statement of The Case

A Hearing had been scheduled for 6th December, 2011 which I attended. Judge Winne Presided was not pleased that I had no Legal Council. I assured him of my contact with Northwest Justice Project seeking Council for myself and awaiting a call back. The Court scheduled Trial for 16th December, 2011. Northwest Justice Project contacted me several times, advised me as ProSe but could not accompany me to Trail. I filed my Declaration and Proof of Employment with the County Clerk on 14th December, 2011 at 11:15a.m. The Trail was not recorded by the Court. It lasted less than one hour. I was allowed only 5 or 6 minutes total to speak in my Defense. The Court was hostile toward me, refusing my offer to pay late mortgage payments in full that same day. Judge stated he didn't beleive I would. The Judge physically altered the illegal motion, in front of everybody, "making it Legal" then passed a very harsh Judgement against me; he would not allow me to speak post-Judgement and Trial was abruptly over.

V. ARGUMENT

I am compelled, as a Washington State Citizen and Resident, as an Honorable, Productive, Tax paying Citizen of This United States of America, to strongly address this blatent travesty of Justice. The Motion should have been Rejected before the Hearing even began as it was not a Legal Motion. Judge Winne carried on, coddeling, Counciling and manually re-writing the Motion to fit the demands of Mr. Swilling and his Attorney. At one point, after watching the Courtroom clock pass 25 min. of unbroken recital by Mr. Swillings Att., I politely stated the 15 min. per side rule. The Rule and I were ignored.

When I stated the Legal Fact that a Home Owner cannot be "Evicted" from her own Home, as the Motion demanded, but must have a Motion to "Eject" her = non-existent at said Hearing/Trial, Mr. Swillings Att. looked confused. Judge Winne then kindly addressed her confusion and spent several minutes explaining the Law to her. She asked if that was going to cause a delay in Court Judgement, a reschedule of the Trial to which he responded by reaching out for her copy of the Motion and abruptly modified the Motion to read "Eject" rather than the original "Evict". The Judge modified most, but missed a few.

As Judge Winne handed the adulterated Motion back to Mr. Swillings Att., he chuckled and said: "No. I won't delay Judgement. I'm leaving town shortly For vacation and won't be back For several weeks."

The Court ignored my Civil Rights, threw Justice, Legalities and my right to a Fair Trial out the back door; it wasn't even my name on that Motion, listed as Defendent! I was afforded no time or chance to plead in my Defense, but a devestating Judgement was made against me, irregardless.

Let us not ignore the Fact that Judge Winne's Judgement included Ejecting myself and my Family From our Home and property of 18 years, with-in 10 days of the Trial. Christmas was in 9 days.

Oh yes, it gets worse, much worse in that Courtroom; much more personal. Humiliation, slander, derrogatory personal affronts - non stop by Mr. Swillings Att., but still no intervention by the Court. Actually, Judge Winne got a few derrogitory comments in too, re: his personal opinion of my quality of character.

Man's Inhumanity To Man, or To Woman; in a Snohomish County Superior Court Courtroom... in front of multiple strangers awaiting thier turn at Trial.

I firmly beleive that experience I suffered through, warrents Vacating The Judgement. I sincerely hope your Honors agree.

In Truth and Justice,

Susan Gay Rengston R.N.

VI. Conclusion

I am seeking relief from Your Honors in the form of Vacating a Judgement made against me on 16th December, 2011 at or about 9:30 a.m. in a courtroom of Snohomish County Superior Court, Judge Winne presiding.

Respectfully Submitted.

Susan Langston, Pro Se
Appellant

WA. State Bar Assoc. No: NA

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF SNOHOMISH

GREGORY R. SWILLING
Plaintiff,

v.

SUSAN GAY BENGSTON
Defendant

No.: 08-2-05880-6

ORDER TO ~~EVICT~~ Eject DEFENDANT PURSUANT TO FINAL STIPULATED ORDER ~~AND~~ FOR OTHER RELIEF + Attorney's Fees.

I. JUDGMENT SUMMARY

Judgment summary is as follows:

A.	Judgment creditor	Gregory R. Swilling
B.	Judgment debtor	Susan Gay Bengston
C.	Principal judgment amount	
D.	Interest to date of judgment	12,383.00
E.	Attorney's fees	$ ~~14,814.00~~
F.	Costs	$ 150.00
G.	Other recovery amount - late fees associated with bringing mortgage current, associated with Home Equity Line of Credit, and utility fees, late charges and other payments	$ Reserved

H. Principal judgment shall bear interest at 12% per annum.

I. Attorney's fees, costs and other recovery amounts shall bear interest at 12% per annum.

BERNER LAW GROUP, PLLC
3112 Rockefeller Avenue
Everett, Washington 98201
Phone: (425) 259-6533
Fax: (425) 252-9212

J. Attorney for judgment creditor — Karen C. Skantze

K. Attorney for judgment debtor — Susan Gay Bengston, Pro Se

L. Other:

THIS MATTER having come on duly and regularly before the undersigned Judge/ Commissioner upon the Petitioner's Motion ~~to Evict Defendant~~ pursuant to Final Stipulated Order and for Other Relief, and the Court having reviewed the records and files contained herein; and being fully advised in the premises; now, therefore, it is hereby

ORDERED as follows:

1. Defendant Susan Gay Bengston shall vacate the property located at 7226 - 64th Street S.E., Snohomish County, Washington 98290, within ten (10) days of entry of this Order.

2. Bengston shall be responsible, as of the date of entry of the Order Evicting Defendant Bengston and for Other Relief, for payment of any late fees associated with bringing the mortgage payments current, or associated with the Home Equity Line of Credit, as well as utility bills or other fees, payments or late charges associated with occupancy of the residence, such payment to be remitted directly to the lender and utility companies and/or to attorneys for Plaintiff within five (5) days of entry of the Order on this motion., to be paid from Defendant Bengston's portion of the net proceeds from the sale of the residence to those entities to whom these fees and penalties are owed.

3. Defendant Bengston shall be responsible for $12,383.00 in attorney's fees and $150.00 in costs for the costs associated with this action since March 31, 2010. This amount shall be deducted from Bengston's portion of the net proceeds from the sale of the residence described above, and remitted to Plaintiff's attorneys, at time of closing via the escrow company.

4. ~~Mr. Spilling shall be compensated dollar for dollar for the payments he makes to the~~ residence, to keep it from foreclosure ~~from the first payment he makes to the final payment~~

BERNER LAW GROUP, PLLC
3112 Rockefeller Avenue
Everett, Washington 98201
Phone: (425) 259-6533
Fax: (425) 252-9212

~~The payments Mr. Swilling makes to correct the arrears, penalties & fees commensurate with the sale of the home, which shall be deducted from Ms. Bengston's portion and remitted to Mr. Swilling via the escrow company at closing.~~

5. The sum of $2,000.00 as detailed in Section IV, Paragraph 1 (c) of the Final Order and Stipulated Judgment shall be deducted from Bengston's portion of the net proceeds from the sale of the residence, and shall be remitted to Plaintiff's attorneys at closing via the escrow company.

6. This Order of ~~Eviction~~ Ejectment shall be enforced as follows: Defendant should pay ~~$500.00~~ $100.00 for each day she remains on the premises past ten (10) days from entry of the Order, this amount to be deducted from defendant's portion of the net proceeds of the sale of the home. On the fifteenth (15th) day, the Snohomish County Sheriff shall enforce the Order for ~~Eviction~~ Ejectment and effectuate physical removal of Ms. Bengston from the premises.

7. Mr. Swilling shall have sole authority, after entry of the Order to Evict, to determine the future listing price and purchase price of the home, and to select the realtor for the sale of the home.

8. ~~Other:~~ Mr. Swilling shall be compensated dollar for dollar for the payments he makes to pay off the mortgage arears, penalties + fees. These payments shall be deducted from Ms. Bengstons portion of the proceeds + remitted to Mr. Swilling via the escrow company @ closing. The issue of whether Mr. Swilling shall be compensated dollar for dollar ~~cents~~ for making the regular payments to the mortgage after he is satisfied the arears, penalties, + fee is resolved

DONE IN OPEN COURT this 16 day of ~~November~~ December 2011.

JUDGE/COURT ~~COMMISSIONER~~

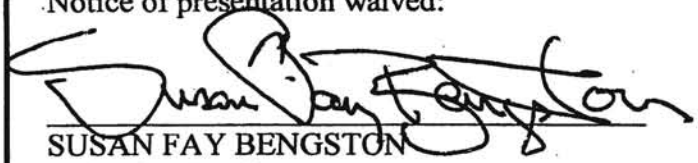
Presented By:

KAREN C. SKANTZE, WSBA No. 36356
Attorney for Plaintiff

GREGORY R. SWILLING, Plaintiff

BERNER LAW GROUP, PLLC
3112 Rockefeller Avenue
Everett, Washington 98201
Phone: (425) 259-6533
Fax: (425) 252-9212

Copy received;
Notice of presentation waived:



SUSAN FAY BENGSTON
Defendant Pro Se

BERNER LAW GROUP, PLLC
3112 Rockefeller Avenue
Everett, Washington 98201
Phone: (425) 259-6533
Fax: (425) 252-9212

CL15147591

FILED

2011 DEC 14 AM 11:15

SONYA KRASKI
COUNTY CLERK
SNOHOMISH CO. WASH

IN THE Superior COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF Snohomish

Gregory Robert Swilling

Plaintiff,

v.

Susan Fay BENGSTON

Defendant.

No. 08-2-05880-6

DECLARATION OF Susan Fay BENGSTON (Defendant)

This declaration is made by:

Name: Susan Fay BENGSTON
Address: 7226 64th St. S.E.
Snohomish, WA. 98290
Telephone: 425-345-2377
Age: 59
Occupation: Case-giver/R.N.

Relationship to the parties in this action:
Self/Defendant

I DECLARE that:

I, Susan Fay Bengston, am over the age of 18 yr.s, competent to testify, and make the following declaration

DECLARATION - Page 1 of 3H

#9

in support of my Defense. I currently reside at 7226 64th St. S.E. Snohomish, WA. 98290. It is my sole and primary residence, both currently and as of the past 17½ yrs. I alone am caretaker and payor of maintainance and Mortgage, since Greg Swilling, Plaintiff, moved back to his parents home in Lynnwood, WA., the winter of 2004-2005. I am not a Tenant; I don't owe rent; I am a Tenant In Common. I cannot be evicted, I would have to be ejected from my home and property. The Plaintiff must prove non-compliance. I have co-operated, to the best of my ability, with attempts to sell said property, showing it myself when an interested party "stopped by" - then notifying the Realtor. In this economy, very few buyers showed any interest. The Realtor also was unreliable and failed to arrive for scheduled showings x 2, of 3 prospects.

(Attach Additional Pages if Necessary and Number Them.)

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

Signed at Vashon, WA. [City and State] on 12/13/2011 [Date].

Susan Fay Bengston
Signature

Susan Fay Bengston
Print or Type Name

I have fallen behind on mortgage payments; R/T the death of my Primary Income Client in Private Duty Nursing - Spring of 2010. My youngest Son then Deployed For his 3rd Combat Tour, to Mariah, Afghanistan, in June, 2010. We lost 17 friends and Brothers from my Son's Scout/Sniper Unit in the following 7 months; I was under extreme duress and under my Doctor's care for high blood pressure and depression. My Son came home safe recently; I have begun a new Caretaker job with the State of WA., 24/7 care of my Childrens Uncle - 78 y.o., advanced Parkinsons Disease; he has lived alone until now, a Korean War Vet., but fell and broke his back badly on 8/24/2011. He spent 91 days in Hospitals, with me by his side. Discharged to my Care on 11/23/2011. I am working closely with my Mortgage Co. to retain my Home.

(Attach Additional Pages if Necessary and Number Them.)

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

Signed at Vashon, WA. [City and State] on 12/13/2011 [Date].

Susan Fay Bengston
Signature

Susan Fay Bengston
Print or Type Name

Request for Financial Information

U.S. Department of Housing and Urban Development
Office of Housing / Federal Housing Commissioner

Important: No lender, including HUD, may discriminate against you in giving credit because of your race, sex, age, or marital status. Complaints about discrimination by lenders for these reasons should be sent to the Federal Trade Commission, Equal Credit Opportunity, Washington, D.C. 20580.

Property Address: (Include city, state & zip code)	HUD/FHA Case Number:	Lender's Name & Address:
7226 64th St. S.E. Snohomish, WA. 98290	Mortgage Loan Number: 134860	HomeStreet Bank 601 Union Street, Suite 2000 Seattle, WA 98101-2326

Borrowers' Names: List all persons whose names appear on your mortgage or note.	Address: (If different from property address, above)	Phone No: (day/evening)
Susan Fay BENGSTON Gregory Robert Swilling	Same as above.	425-345-237 (Susan Bengston c

Do you collect rent for any part of this house? ☐ Yes ☒ No If "yes," how much rent per month do you collect? $

Household Composition & Income. List the name of every person who lives at the address and give all requested information about each person. This form asks three questions about income: 1. How much did each person make last year (broken down by where the money came from); 2. How much does each person make right now. 3. How much does each person expect to make in the next 12 months (including raises, overtime, part time jobs, etc.). Show all money received, no matter where it comes from.

Name	Social Security Number	Age	Sex	Relationship	1. Last Year's Income, Retirement, or Benefits Payments: Wages or Salary	Social Security	Disability	Unemployment	Welfare	Other	2. Current Income ☐ Wkly ☐ Mnthly ☐ Yrly	3. Expected Income for Next 12 Month
Susan Bengston	571-82-2276	59	F	head	0	0	0	0	0	0	0	19,200.
				Total								19,200.

Federal Tax. If pay stubs are not available, complete this section for each family member above (other than minors) who submitted a Federal Income Tax Return.	Taxpayer:	Date of Return:	Adjusted Gross Income:	Taxpayer:	Date of Return:	Adjusted Gross Income
	NONE					

Sources of Income. Show where all the money under "Current Income" comes from. If anyone has income from more than one source, use more than one line. "Source" is the name of the person, company, government agency, etc. from which money comes. Attach additional pages if necessary.	Name:	Source: (Job, unemployment, etc.)	Address of Source:	Telephone:	Monthly Amount:
	N/A				

Has the borrower filed for bankruptcy? ☐ Yes ☒ No Does the borrower receive food stamps? ☐ Yes ☒ No If "yes," enter the dollar value of the stamps: $

Do you expect future income? (Insurance claims, disability claims, lawsuits, alimony and child support, rent, etc.)

Person to Receive Added Income	When:	From What Source:	Lump Sum:	Monthly Amount:
Susan Bengston	January 2012	Home Health Caregiver / State Pd.		1,600.00

page 4 of 11

Assets: How much money do you have in ...

Savings Account:	Cash or Money Orders:	Checking Account:	401K:
0	0	0	0

Real Estate you Own Beside your Home:

Description of Property:	Purchase Price:	Monthly Payments:	Monthly Rental Income, if any:
NA			

Monthly Deductions from Gross Income	Monthly Deductions	Remarks (if any)
Federal Income Tax	$	
State Income Tax	$	Unknown at present; still in process of medicaid application for client R/T projected employment as Caretaker.
Local Taxes (personal property, school, city, etc.)	$	
Social Security and/or Retirement	$	

Monthly Expenses - Include loan payments or other expenses deducted from pay check	Monthly Expenses	
Second Mortgage	$ 100.00	
Electricity, Gas, and Oil ant cable	$ 265.00	I have completely depleted my funds at this point and am extremely thankful that a steady job and medical ins. have presented themselves to me, tho under family Emergency circumstances. I am looking forward to getting back on track.
Water and Sewer ant garbage	$ 45.00	
Hazard Insurance (only if not included in mortgage payment)	$ —	
Home Maintenance Repairs	$ 100.00	
Telephone & cell phone	$ 150.00	
Food	$ 400.00	
Clothing	$ 50.00	
Transportation (gas, bus ticket, etc.)	$ 300.00	
Auto Insurance	$ 100.00	
Medical (premiums and bills not paid by insurance)	$ 250.00	I have multiples bills, medical in collections. I will need to arrange payments as I progress.
Life Insurance	$ —	
Education, Tuition, Books	$ —	
Installment Payments (see below)	$ See below	
Alimony, Child Support	$ —	
Other	$ unknown	→ Union dues to begin with new job.

Installment Payments in detail:

To whom paid	Date Opened	Purpose	Present Balance	Monthly Payment	Date of Last Payment	No. of Payms Past Due
Les Schwab		Auto tires/maint.	640.00	110.00	Oct. 2011	"1T"

Describe any Emergency Repairs necessary on your home (heat, plumbing, electrical, roof, etc.) Attach additional pages if necessary.

(1) Electric forced air heating system/ducts & furnaces need cleaning & chk./Furnace is fire hazard.
(2) Bathroom sink and bathtub water pipes/drain leaking to under the home.
(3) Kitchen sink = leaking faucet.
(4) Floor around toilet rotting.
(5) Broken & missing double paned windows.
(6) Need insulation around front & back doors.
(7) Multiple roof leaks.

Circumstances: Explain in your own words why you got behind in your mortgage payments. To obtain help from HUD, the reasons that you fell behind in your mortgage payments must have been beyond your control. Some examples of such reasons are: You or your household had reduced income because of loss of a job, death, divorce, or illness; or you or your household had increased expenses because someone in the household was injured, became ill, or died. There may be other reasons that make you eligible for help. Please explain, in your own words, why you were not able to make your mortgage payments. Attach additional pages if necessary.

I have been the Primary Provider since long before said property purchase. Greg Swilling has not contributed since '04/'05 and moved back to his parents home at that times. My primary income/client died in Spring '08, just prior to my youngest sons Deployment to his 3rd Combat Tour in Marjah, Afghanistan, with the Marines. I experienced extreme distress during his Tour, losing 17 young friends and "Brothers" over 7 months., From my sons Unit alone. I lost my Eldest Daughter, suddenly and unexpectedly, in June 2000, hence, my anxiety was dramatically amplified. I also am battling Hepititis C, Hospita' aquired, with no insurance for treatment or Phygician visits. My blood pressure meds and anti-depressants had to be doubled in dose I experienced many illnesses, incl. gastro-intestinal and exhaustion. I had many medical bills besides daily living, and depleted my savings. My Son is Home safe, after 5 yrs. at War; completed his Military Service by late Spring 2011. I began to apply for work and was abruptly and desperately needed when my beloved childrens Uncle fell and drastically broke his back. He is 78 y.o. and in advanced Parkinsons Disease. He has just been released to my 24/7 care after 2 emergency surgeries and 91 days in Hospital. I will recieve once monthly income as a Caregiver, plus insurance for my medical needs. I have not worked since early Spring '10; no income.

Reasonable Prospects: Explain how you expect to make the full monthly mortgage payments in the future. There are many ways in which you can do that. For example, if you missed payments because you lost your job, you should state (if) you expect to get a new job. If you are ill or injured, you can state when your doctor expects you to recover and go back to work. If you have applied, or plan to apply, for some form of government assistance, please include that in your answer. If you have had increased expenses, you should state how you expect to pay them and when you expect to be able to continue making your mortgage payments. Attach additional pages if necessary.

As I understand it, my pd. caregiver job began on 11/23/2011 when my childrens Uncle was discharged from the Hospital. I am still working with Medi-caid personnel, but it appears to be a steady "job". The program will also pay for staff to assist, as soon as approp. help has been located and secured; that will present an opportunity for me to seek further employment outside the home to augment incomes. I have needed to have medical treatment re: Hep C, for some time now and plan to pursue that course as soon as my Medical Ins. comes into effect. That will be 6 to 12 months of 7 day a week chemo... rough, but I will be much healthier when the course is completed. I hope and plan to begin reduced mortgage payments, with your help, in January 2012, and cont. to work hard to catch up and complete my 30 yr. loan as soon as possible

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate.

Signature(s) & Date:

x [signature] 11/29/2011

~~Pg 3 of 4~~

12/6/2011

To whom it may concern:

Re: overdue monthly payments for Mortgage # 134860.

This is difficult for me to write about, but I understand you need a reason I am overdue on my payments. I raised 4 precious children, basically alone, with no child support; I did well, but not with-out tragedies. As I stated on my "form", I lost my eldest at 28 y.o., suddenly and unexpectedly. I fought for, and lost - r:T: WA-St. Troxill Decision, my eldest grand-daughter to her Father in Chicago, who abandoned she and my Daughter when the baby was 3 months old. I raised that grand-daughter for 9 yrs; the legal battle cost me all my retirement $.

In June of 2010 my youngest Son left from Camp Lejeune, N.C. for his 3rd Combat Tour with the Marines. My remaining Daughter accompanied me, her first time to N.C., to see her Brother off, as she and we knew Marjah, Afghanistan was extremely dangerous for our troops. Not more than 15 min. after we arrived at Ellis Airport and drove toward Camp Lejeune, a traumatic MVA occured just ahead of us. A 23 y.o. Marine was hit and killed by an SUV. Myself being an R.N., I was 1st responder managed to restore heart and respirations on the young Marine but he died in my arms before 911 arrived. My 23 y.o. was leaving for Afghanistan the following day, and the day after he left my daughter and I flew home to Seattle, on the 10th Anniversary of my Eldest death. Extreme trauma for me.

Just days after my Son and Battalion arrived in Marjah, on their first Scout/Sniper Patrol, they were ambushed and a dear friend was terribly shot up = home to many months in Bethesda. In the following 7 months, we lost 17 men, friends and Brothers from my Sons Unit alone. Yes, I was overwhelmed and pretty much non-functional here at home.

In 2009/10, Greg Swilling proceeded to try to force the sale of this property - my only home. He repeatedly dragged me into Legal situations, costing me $20,000.00 = "Breaking The Bank."

Greg Swilling had demanded I pay him $50,000.00 to "get him off the Title". I didn't have any monies to give him, besides which the Economy had crashed and Mr. Swilling had never contributed much to property or household; he cont. to take me to court as I am writing this, wanting the property for himself but not paying anything toward it since winter of '04/'05.

My Son came home, Safe, from 5 yrs. of War in this last late Spring, 2011. I began to retrieve my drive and work toward handling my responsibilities/applying for work. On August 24th, at the crack of dawn, I was notified from Vashon Is. that something "terrible" had happened to my childrens beloved Uncle - 78 y.o. with advanced Parkinsons Disease. I zoomed to Vashon as quickly as possible, had ambulance transport from Is. to Swedish Hosp. where we experienced 2 huge emergency surgeries for a badly fractured back, etc. My Brother-in-Law spent 91 days in Hosp., from Seattle to Everett, with me by his side. He was discharged home to me on Nov. 23rd, 2011 He is extremely disabled but I will cont. to care for him at home = Primary Caregiver (only one at this time), POA, Family.

Not least, I was diagnosed with Hepatitis C in 2001, after my 2nd dirty needle stick thru-out 10+ yrs. as an Acute Care R.N. at Providence Hospitals, Everett, WA. My L&I claim was opened 2 yrs. ago, but Prov. had it closed; I was left with UW Hosp. bills, Everett Clinic bills, etc. as I had sought to begin treatment.

Yes, it's been overwhelming for quite awhile, but it will get better - I'm fighting to make it so!

Sincerely, Susan Jay Bengston RN

~~Pg. 9 of 19~~

Ocular® Instruments, inc.

SYSTEM CERTIFICATION SGS

2255 116TH AVENUE NE, BELLEVUE, WA 98004-3039 USA
Phone: (425) 455-5200 Toll Free: (800) 888-6616 Fax: (425) 462-6669
Email: VERONICAB@OCULARINC.COM Web: WWW.OCULARINC.COM

TO:	FROM:
KAREN SKANTZE	SUSAN FAY BENGSTON
FAX NUMBER:	DATE:
425-252-9212	7/30/12
SUBJECT:	TOTAL NO. OF PAGES INCLUDING COVER:
	10

If there is a problem with transmission, please let us know.

SERVICE OF APPELLANT OPENING BRIEF

FAXED 1:15pm