No. 100730-2
Court of Appeals No. 82002-8-I

IN THE SUPREME COURT FOR
THE STATE OF WASHINGTON

Marriage of:

PAMELA LYNN DODDRIDGE,

Petitioner,

v.

WILLIAM SCOTT DODDRIDGE,

Respondent.

ANSWER TO PETITION FOR REVIEW

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TABLE OF CONTENTS

TABLE OF AUTHORITIES

Page(s)

Cases

Statutes

Other Authorities

INTRODUCTION

The parties agreed to a judgment of legal separation in 2002, severing financial ties but remaining married, as is the purpose of legal separation. They agreed that all after-acquired property would be separate property. Pamela does not challenge their agreed judgment.

Pamela nonetheless seeks equitable relief under the Committed Intimate Relationship ("CIR") doctrine. The appellate court correctly affirmed the trial court order dismissing her claim, holding that while Pamela is not entitled to equitable relied under the CIR, she may seek to reopen the judgment and obtain an equitable distribution of assets pursuant to dissolution. This decision is plainly aligned with numerous cases and statutes on legal separation and on the CIR doctrine. And applying equitable CIR relief to married parties with statutory relief would contradict these same cases, and others.

This Court should deny review.

RESTATEMENT OF ISSUES PRESENTED FOR REVIEW

The parties are lawfully married, having elected to legally separate rather than to divorce. They freely and voluntarily entered a judgment of legal separation dividing their marital property, awarding maintenance and family support, and providing that all after-acquired property and debts would be the sole and separate property of the acquiring spouse. The appellate court affirmed the trial court's decision declining to divide the parties' after-acquired property under Washington's committed intimate relationship ("CIR") doctrine. Where the appellate opinion is consistent with numerous Washington cases holding that the CIR applies to unmarried cohabitants, should this Court deny review?

FACTS RELEVANT TO ANSWER

Pamela and William Doddridge separated in April 2002, choosing not to divorce, but to enter an agreed judgment and decree of legal separation in Orange County,

California. Op. 1; CP 1, 15-34. Their "separation agreement attached to the judgment included provisions for child custody, child support, spousal maintenance, and the division of assets." Op. 1-2; CP 15-34. In addressing their agreed judgment, Pamela omits that each party received as their "sole and separate property … Any and all assets or obligations … obtained or incurred *after the date of separation* of December 28, 2001." CP 27-28; Op. 2 (emphasis added). That is, the parties agreed – and their judgment reflects – that any after-acquired property is separate property. *Id*.

The parties did not pursue a dissolution, and "reunited about a year after legally separating," living "together for another 17 years before separating again in 2020." Op. 2. They followed the judgment of legal separation, "divid[ing] their assets consistent with the order of separation." *Id*. And William paid all child support and

spousal maintenance payments, totaling $3.7 million. *Id*.; CP 23-25, 72-74.

Also consistent with the judgment of legal separation, William placed in his own name, or the name of one of his business entities, any after-acquired real and personal property he intended to own as separate property. CP 68. For example, when he purchased his home in Anacortes, he ensured that the deed conveyed the property to him, "a legally separated man as his sole and separate estate." *Id*. When he elected to gift after-acquired property to Pamela, William placed it in her name. CP 67-68.

In January 2020, Pamela petitioned the Skagit County Superior Court for an equitable distribution of property, arguing that the parties had been living in a CIR since 2003. Op. 2; CP 1-3. William moved to dismiss under CR 12(b)(6) on the basis that the parties' lawful marriage precluded application of the CIR. Op. 2; CP 4-8. The trial court first denied William's motion, but granted it on

reconsideration, ruling that the "'uncontroverted fact of the parties' lawful marriage bars [Pamela] from pursuing this claim of a committed intimate partnership in Washington.'" Op. 2 (quoting CP 344-47).

APPELLATE DECISION

The Court of Appeals, Division One, affirmed in an unpublished decision, later denying Pamela's motions for reconsideration and to publish. The appellate court held that the parties' lawful marriage precluded application of the CIR doctrine:

> [T]he CIR doctrine does not apply to married couples. Instead, its purpose is to protect the interests of unmarried parties who acquire property during a marital-like relationship. … Because Pamela and William were still married between 2003 and 2020, the CIR doctrine does not apply to the division of their assets.

Op. 4-5 (citations omitted). The remainder of the appellate court's correct decision rejects Pamela's false assertion that without the CIR, she has no remedy. Op. 6. Pamela's Petition focuses on the latter.

REASONS THIS COURT SHOULD DENY REVIEW

Pamela's Petition does not focus on the appellate court's correct holding that the "CIR doctrine does not apply to married couples." Op. 4-5. As addressed below, that holding is consistent with numerous Washington cases, from this Court and from the appellate courts, all holding that the CIR doctrine applies only to unmarried cohabitants. *Infra*, Argument § C. No conflict exists.

Pamela instead alleges a series of conflicts centered around her claim that without the CIR doctrine, she has no relief from the judgment of legal separation she knowingly and voluntarily agreed to. Her Petition largely ignores the appellate court's holding that she may seek to vacate the judgment under CR 60(b)(11), and if successful, seek a fair and equitable distribution of assets pursuant to dissolution of marriage. Op. 6. This is entirely consistent with Washington statutory and common law. *See* RCW 26.09.170; *infra*, Argument § A. Again, there is no conflict.

A. There is no conflict with *Marriage of Moody*.

The unpublished appellate opinion that Pamela's remedy is to seek to vacate the judgment, and if successful to obtain a just and equitable distribution of assets pursuant to dissolution, is entirely consistent with ***Marriage of Moody***, recognizing the statutory right to reopen a judgment of legal separation. 137 Wn.2d 979, 986-91, 976 P.2d 1240 (1999); Pet. 15-17. There, the husband and wife entered a property settlement agreement, incorporated into a decree of legal separation, dividing their assets and awarding wife cash payments and maintenance. ***Moody***, 137 Wn.2d at 982-84. They chose legal separation apparently believing reconciliation was possible. 137 Wn.2d at 984. They reconciled briefly four months later, and again a year after that. *Id*. After almost three years, the parties separated again for the final time, but neither sought to convert the decree of legal separation to a dissolution decree. *Id*. at 985. Husband later sought to

vacate and reopen the property settlement and maintenance agreements, which the court treated as a CR 60(b) motion and denied, finding that it was not filed within a reasonable time and failed to satisfy any ground for relief. *Id*. at 986-87.

The appellate court affirmed in a motion on the merits, and this Court accepted review, also affirming. *Id*. at 986. This Court held that a "decree of legal separation is final when entered, subject to the right of appeal," that it leaves the marriage intact but permits all other relief available in a dissolution, and that after a six-month period, either party has the statutory right, under RCW 26.09.150, to convert the decree of legal separation to a decree of dissolution. *Id*. at 988.

This Court held that other relief is available too. *Id*. (citing RCW 26.09.170(1)). A party may seek to modify maintenance provisions in a judgment of legal separation upon a showing of substantially changed circumstances,

and may seek to modify the property distribution upon showing "conditions that justify the reopening of a judgment under the laws of Washington." *Id*. These are the remedies provided by statute (RCW 26.09.170(1)):

> Except as otherwise provided in RCW 26.09.070(7), the provisions of any decree respecting maintenance or support may be modified: (a) Only as to installments accruing subsequent to the petition for modification or motion for adjustment except motions to compel court-ordered adjustments, which shall be effective as of the first date specified in the decree for implementing the adjustment; and, (b) except as otherwise provided in this section, only upon a showing of a substantial change of circumstances. The provisions as to property disposition may not be revoked or modified, unless the court finds the existence of conditions that justify the reopening of a judgment under the laws of this state.

Consistent with ***Moody***, the appellate opinion holds that Pamela's remedy is to seek to vacate her judgment, and if successful to obtain a distribution of assets in a dissolution action:

> Pamela is not without remedy. She can seek relief from the decree of legal separation and the separate property provision of which she now complains under CR 60(b)(11) if she can show any reason "justifying

> relief from the operation of the judgment." If relief is justified, she can then petition the proper jurisdiction to dissolve her marriage and make a just and equitable disposition of marital assets and liabilities.

Op. 6. The Court noted that in claiming her remedy is unjust, Pamela "disregards that she agreed under the separation contract that assets and obligations obtained or incurred after separation would be separate." Op. 6 n.5. "And she told the California trial court that she was entering the separation agreement 'fully and completely informed as to . . . [her] rights and liabilities,' and that she was doing so 'voluntarily' and 'free from fraud, undue influence, coercion or duress of any kind.'" *Id*. "She also ignores the benefits she received under the separation agreement—distribution of marital assets, a parenting plan, child support, and spousal maintenance—despite the parties' continued marriage." *Id*.

Ignoring this part of the appellate opinion, Pamela persists that she has no remedy since ***Moody*** holds that "a

decree of legal separation cannot be vacated and reopened based on the parties' reconciliation." Pet. 16. ***Moody*** does not support Pamela's claim.

Moody holds only that the trial court there did not abuse its discretion in denying CR 60 relief from the judgment of legal separation based on the parties' reconciliation "on its own." 137 Wn.2d at 990; *see also* ***Umpqua Bank v. Hamilton***, 13 Wn. App. 2d 564, 568, 464 P.3d 1201 (2020) (holding that trial court rulings on CR 60 are reviewed for an abuse of discretion). That the parties' reconciliation in ***Moody*** was not alone sufficient to set aside their judgment of legal separation is entirely in keeping with this Court's recognition that they chose legal separation over divorce because they apparently hoped to reconcile. 137 Wn. 2d. at 984.

This Court distinguished ***Logan v. Logan***, in which the couple entered a separation agreement dividing their assets, abandoned their divorce action, and later

reconciled and lived together another nine years before divorcing. *Id*. at 988-89 (citing 141 Wash. 62, 250 P. 641 (1926)). There, this Court rejected the husband's argument that the parties were bound by the separation agreement, affirming the trial court's authority to make a just and equitable distribution of property obtained during the reconciliation. *Id*.

Pamela argues that the appellate opinion regarding her relief from the judgment of legal separation wrongly assumes that she "has some quarrel with the terms of the judgment of legal separation." Pet. 16. She continues that she has "always made clear" that she seeks only to address her "equitable interest in quasi-community property that arose *after* the judgment of legal separation was entered," which she claims are "property interests not addressed in the judgment of legal separation—or Division One's opinion." *Id*.

Pamela's entire argument is in fact a "quarrel with the terms of the judgment of legal separation." *Id*. Per the parties' agreement, all after-acquired property belongs to the acquiring spouse as their "sole and separate property." CP 27-28. Pamela's petition for "equitable relief" sought a distribution of that property – William's separate property. There is no "quasi-community property" because the parties legally separated, the very nature of which is to remain married, but sever all financial ties. *See* ***Moody***, 137 Wn.2d at 987.

Pamela falsely claims that the judgment of legal separation does not address the interest she asserts in "property that arose *after* the judgment of legal separation was entered." Pet. 16. The judgment of legal separation absolutely addresses all property acquired post-separation – it is separate property. CP 27-28; Op. 1-2. The only way to characterize it as "quasi-community property" is to ignore the parties' agreement that it is separate property.

Indeed, it is to ignore the very nature of a judgment of legal separation – to remain married but sever financial ties. ***Moody***, 137 Wn.2d at 987.

In short, the appellate opinion is entirely consistent with ***Moody***, both providing Pamela with a clear *statutory* remedy. This Court should deny review.

B. There is no conflict with *Parentage of L.B.*

This matter does not and cannot conflict with ***Parentage of L.B.***, as it is inapposite. 155 Wn.2d 679, 689, 122 P.3d 161 (2005), *cert. denied*, ***Britain v. Carvin***, 547 U.S. 1143 (2006)); Pet. 17-23. At issue in ***L.B.*** was whether Carvin, who was neither a biological nor adoptive parent, had standing under Washington statutory or common law to petition the courts for a determination of parentage or visitation. ***L.B.***, 155 Wn.2d at 683; 121 Wn. App. 460, 470, 89 P.3d 271 (2004). This Court affirmed the appellate decision that Carvin lacked standing under the 2002 Uniform Parentage Act ("UPA"), which defined "mother" by

childbirth, and parentage by marital status. 155 Wn.2d at 683; 121 Wn. App. at 471-75. Since Carvin did not give birth to L.B., and since she was not married to Britain (her same-gender partner who she could not marry at the time), she lacked standing under the UPA. *Id*. And Carvin also had no statutory right to visitation, where this Court had previously struck down as unconstitutional Washington's third-party custody statutes. ***L.B.***, 155 Wn.2d at 713-15 (citing ***Parentage of C.A.M.A.***, 154 Wn.2d 52, 109 P.3d 405 (2005)). This was the "gap" in Washington's statutory scheme – Carvin was a parent in every sense of the word – but our former statutes failed to include her by virtue of her gender and marital status.

Seeking to align this case with ***L.B.***, Pamela claims that "Division One's decision conflicts with [***L.B.*** and others] holding that courts retain power to invoke their 'equity powers and common law responsibility' to provide a remedy when 'legislative enactments that may have

spoken to the area of law, but did so incompletely.'" Pet. 17. She argues that "this Court in ***L.B.*** relied on the CIR doctrine as an example of when our courts have 'invoked their equity' powers to respond to the needs of 'families in the face of changing realities….'" Pet. 22 (quoting ***Connell v. Francisco***, 127 Wn.2d 339, 348-50, 898 P.2d 831 (1995)). She claims that no statute offers her the "'specific relief' she seeks": a just and equitable distribution of assets acquired after the parties legally separated but remained married. Pet. 17-23. Pamela claims that this "gap" should be filled by the CIR. Pet. 21-22.

L.B. is inapposite, so the appellate decision cannot and does not conflict with it. Carvin lacked *standing* under the UPA, so had no statutory pathway to any relief whatsoever. Pamela plainly has standing under RCW 26.09 (dissolution proceedings and legal separation) and a number of statutory protections that come with it. When the parties initially separated, they had the option to divorce,

legally separate, or seek a declaration of invalidity. *See e.g.* RCW 26.09.020-.040, .150, .170; Cal. Fam. Code § 2010. They elected legal separation. Since the parties elected legal separation, Pamela's current statutory remedy is converting her judgment of legal separation to a decree of dissolution. RCW 26.09.150(2); Cal. Fam. Code § 2347. And since Pamela wants a distribution of the assets William acquired after their date of legal separation – and presumably a distribution of *all property and debt including hers* – then she has yet another statutory remedy: reopening the judgment. RCW 26.09.170(1); CR 60(b)(11).

This matter has never been about the absence of a statutory remedy, much less a lack of standing. It is about Pamela not liking the remedy she has. "Generally, a court cannot grant equitable relief when a statute provides specific relief." ***Marriage of Barber***, 106 Wn. App. 390, 393, 23 P.3d 1106 (2001). That is, "Equity does not intervene when there is a complete and adequate remedy

at law." ***Barber***, 106 Wn. App. at 393 (quoting ***Ballard v. Wooster***, 182 Wash. 408, 413, 45 P.2d 511 (1935)); *see also* ***Smith v. Smith***, 4 Wn. App. 608, 613-14, 484 P.2d 409 (1971).

Pamela's remaining arguments regarding ***L.B.*** are equally unpersuasive. Pamela complains that her remedy is incomplete because reopening the judgment will not allow her to retroactively modify maintenance. Pet. 18-19. A CIR distribution does not permit maintenance either. *See* RCW 26.09.090(1) (limiting maintenance awards to proceedings for dissolution, legal separation, and declaration of invalidity); ***Foster v. Thilges***, 61 Wn. App. 880, 887-88, 812 P.2d 523 (1991) (rejecting award of attorney fees in a CIR, where such actions do not arise under Chapter 26.09 RCW).

Pamela also argues the appellate court overlooked that in converting her judgment of legal separation to a decree of dissolution, "the law would prohibit [her] from

seeking a just and equitable division of property acquired after the judgment of legal separation was entered ….” Pet. 19 (citing RCW 26.09.150(2)(a)). She similarly claims that the appellate court “confirmed that [she] has no statutory remedy ….” Pet. 20. Both are inaccurate. Pamela continues to ignore that if she succeeds in reopening the judgment, she will be entitled to a just and equitable distribution of assets pursuant to dissolution of marriage. *See* Op. 6; RCW 26.09.170(1); CR 60(b)(11).

Pamela next argues that under ***L.B.***, the common law must step in where the Legislature cannot contemplate all potential scenarios that may arise in family law. Pet. 20-21. But this scenario is entirely predictable. The very nature of a legal separation is that the parties sever financial ties but remain married. ***Moody***, 137 Wn.2d at 987. It is entirely predictable that parties who want to remain married might continue – or resume – a committed intimate relationship. 137 Wn.2d. at 984 (the parties chose legal separation

rather than divorce "[a]pparently because [they] believed that reconciliation was possible").

In short, there is no conflict with ***L.B.***, which does not support providing equitable relief where, as here, there is specific statutory relief. This Court should deny review.

C. There is no conflict with *Vasquez v. Hawthorne*.

There is no conflict with this Court's decision in ***Vasquez v. Hawthorne***, which does not "address the issue here – whether the CIR doctrine applies when the parties to a CIR petition are married." Op. 5 (addressing 145 Wn.2d 103, 33 P.3d 735 (2001)); Pet. 23-29. There, the trial court granted summary judgment for the plaintiff in an estate case, "finding that he and the male decedent were in a CIR." Op. 5 (citing ***Vasquez***, 145 Wn.2d at 105). The appellate court reversed, "holding that a CIR could not exist between same-sex cohabitants who at that time could not legally marry." *Id*. This Court "disagreed, concluding that '[w]hen equitable claims are brought, the focus

remains on the equities involved between the parties. Equitable claims are not dependent on the 'legality' of the relationship between the parties, nor are they limited by the gender or sexual orientation of the parties.'" Op. 5 (quoting ***Vasquez***, 145 Wn.2d at 107). This Court vacated the appellate decision and reversed the trial court, holding that it could not, as a matter of law, decide what equitable theories were most appropriate. 145 Wn.2d at 107-08.

The appellate court correctly held that "***Vasquez*** does not support Pamela's argument that the CIR doctrine applies even when the parties seeking distribution of assets are married to each other. Instead, it establishes that the inability to marry lawfully does not foreclose application of the doctrine." Op. 5. Indeed, that the parties in ***Vasquez*** could not legally marry was "of no consequence" precisely because a *"key element" of a CIR is that there is no lawful marriage*:

> But it is of no consequence to the cohabitating couple, same-sex or otherwise, whether they can legally marry. Indeed, one of the key elements of a meretricious relationship is knowledge by the partners that a *lawful* marriage between them does not exist.

Gormley v. Robertson, 120 Wn. App. 31, 37, 83 P.3d 1042 (2004).

Pamela nonetheless persists that under ***Vasquez***, "the focus is on the 'equities involved between the parties' and not the 'legality of the relationship.'" Pet. 23 (quoting 145 Wn. 2d at 107-08). She claims this means that marriage is not dispositive of whether the CIR doctrine applies. Pet. 23-27. Rather, the "existence of a 'lawful marriage' is relevant to the CIR doctrine only because if a 'statute provides specific relief' the court need not resort to 'equitable relief.'" Pet. 27 (quoting ***Barber***, 106 Wn. App. at 393).

Therein lies the point: the "existence of a 'lawful marriage' is relevant to the CIR doctrine" precisely because

Washington statutes provide "'specific relief'" to married people, such that the courts "need not resort to 'equitable relief'" for them. *Id*. That the absence of a "lawful marriage" is an element of a CIR is consistent with numerous cases Pamela ignores:

- ***Connell***: A CIR is, by definition, a "stable, marital-like relationship where *both parties cohabit with knowledge that a lawful marriage between them does not exist*." 127 Wn.2d 339, 346, 898 P.2d 831 (1995) (emphasis added) (citing ***Marriage of Lindsey***, 101 Wn.2d 299, 304, 678 P.2d 328 (1984)).
- ***Marriage of Byerley***: "Our Supreme Court has defined a [CIR] as a 'stable, marital-like relationship where *both parties cohabit with knowledge that a lawful marriage between them does not exist.*'" 183 Wn. App. 677, 685-86, 334 P.3d 108 (2014) (emphasis added) (quoting ***Connell***, 127 Wn.2d at 346).
- ***Byerley***: The purpose of the CIR doctrine is to "protect *unmarried* parties who acquire property during their relationships by preventing the unjust enrichment of one at the expense of the other when the relationship ends." 183 Wn. App. at 686 (emphasis added) (citing ***In re Pennington***, 142 Wn.2d 592, 602, 14 P.3d 764 (2000)).
- ***In re Kelly and Moesslang***: "The CIR doctrine is a judicially created doctrine used to resolve the property distribution issues that arise when *unmarried* people separate after living in a marital-

like relationship and acquiring what would have been community property had they been married." 170 Wn. App. 722, 732, 287 P.3d 12 (2012) (emphasis added) (citing ***Vasquez***, 145 Wn.2d at 109 (Alexander, C.J., concurring)); William A. Reppy, Jr., *Choice of Law Problems Arising When Unmarried Cohabitants Change Domicile*, 55 SMU L. REV. 273, 278 (2002)).

- ***Kelly***: "CIR proceedings have been developed to divide property acquired by *unmarried* cohabitating partners." 170 Wn. App. at 732 (emphasis added).
- ***Committed Intimate Relationship of Amburgey & Volk***: "A CIR 'is a stable, marital-like relationship where both parties cohabit with knowledge that *a lawful marriage between them does not exist*." [***Connell***, 127 Wn.2d at 346]. 'The CIR doctrine is a judicially created doctrine used to resolve the property distribution issues that arise when *unmarried* people separate after living in a marital-like relationship and acquiring what would have been community property had they been married.' [***Kelly***, 170 Wn. App. at 732]. This doctrine, which is based on equitable principles, protects the interests of *unmarried* couples who acquire property during their relationship by preventing the unjust enrichment of one at the expense of the other when the relationship ends. [***Pennington***, 142 Wn.2d at 602]. 8 Wn. App. 2d 779, 787, 440 P.3d 1069 (2019) (emphasis added).

And Pamela ignores reality, claiming that William's argument that he relied on the judgment of legal separation in managing his after acquired separate property "is no

different than the complaint of every man who, in the decades during which our courts developed the CIR doctrine, unsuccessfully argued that had he wanted his romantic partner to have an interest in property acquired during their relationship, he 'would have married her.'" Pet 27-28. But as the appellate court correctly points out, Pamela benefited greatly under the separation agreement in the judgment of legal separation, agreed that all after-acquired assets and debts would be separate property, and admitted she entered the agreement freely, voluntarily, and completely – informed:

> As much as Pamela argues her available remedy is unjust, she disregards that she agreed under the separation contract that asserts and obligations obtained or incurred after separation would be separate. And she told the California trial court that she was entering the separation agreement "fully and completely informed as to . . . [her] rights and liabilities," and that she was doing so "voluntarily" and "free from fraud, undue influence, coercion or duress of any kind." She also ignores the benefits she received under the separation agreement—distribution of marital assets, a parenting plan, child

> support, and spousal maintenance—despite the parties' continued marriage.

Op. 6 n.5. Thus, Pamela is not similarly situated to an unmarried person leaving a CIR whose only protection is the common law doctrine.

In short, the appellate opinion is entirely consistent with the many cases providing that the CIR doctrine is available only to unmarried cohabitants. This Court should deny review.

D. There is no conflict with *Marriage of Lindemann*.

There is no conflict with ***Marriage of Lindeman***, in which the appellate court upheld a distribution of community-like assets accrued during a CIR between unmarried cohabitants, following their marriage, divorce, and reconciliation. 92 Wn. App. 64, 67-68, 71, 960 P.2d 966 (1998), *rev. denied*, 137 Wn.2d 1016 (1999)); Pet. 29-32. Unlike Pamela and William, the parties were unmarried during the only relevant time frame. ***Lindeman***, 92 Wn.

App. at 67-68, 71. Thus, ***Lindeman*** is plainly inapposite, so cannot conflict with this case.

Yet Pamela argues the appellate opinion conflicts with ***Lindeman*** in "holding" that since Pamela received a distribution of assets, maintenance, and child support pursuant to the parties' legal separation, she is precluded from "pursuing equitable relief …." Pet. 29-30 (citing Op. 6 n.5). That is not the appellate court's holding. Rather, it held that while the CIR does not apply to married couples, Pamela has other relief: setting aside the judgment and "a *just and equitable* disposition of martial assets and liabilities" pursuant to dissolution. Op. 6 (emphasis added). The statement Pamela refers to is not part of the appellate holding at all, but a response to Pamela's assertion that her statutory remedies are unjust. Op. 6 n.5; *see also* Argument § A, *supra*.

Attempting to align this matter with ***Lindeman***, Pamela argues that "[b]ut for the fact that the parties here

were legally separated, rather than divorced, their situation is no different than that of the parties in ***Lindemann***." Pet. 31. That is a distinction with a difference. The parties' decision to legally separate rather than divorce has legal consequences, chief amongst them that they are married. Under Washington law, that matters.

Pamela similarly claims that the appellate opinion "consign[s her] to the property division and 'benefits' in the judgment of legal separation." *Id*. That too is false. The appellate opinion plainly provides that if Pamela can demonstrate that she is entitled to relief from the judgment of legal separation, then she may petition for dissolution and seek a just and equitable distribution of marital assets and liabilities. Op. 6. Pamela is not consigned *to the agreement she freely and voluntarily entered* – she need only to use the proper channels.

Finally, Pamela claims that like "the female cohabitant in ***Lindeman***, [her] situation is precisely that

which the CIR doctrine was intended to protect." Pet. 32. As addressed above, however, the CIR is intended to protect *unmarried* cohabitants who, due to their status as unmarried, do not enjoy the benefits and protections of Washington's dissolution statutes when the relationship ends. *Supra*, Argument § C.

In short, this matter does not conflict with ***Lindeman***, in which the CIR doctrine applied to unmarried cohabitants. This Court should deny review.

CONCLUSION

The appellate court's opinion is in line with controlling precedent from this Court and from the appellate courts and raises no conflicts. This Court should deny review.

RESPECTFULLY SUBMITTED this 22nd day of April 2022.

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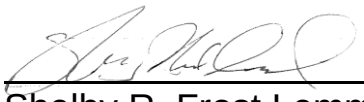

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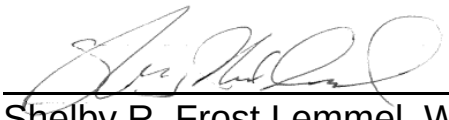
CERTIFICATE OF COMPLIANCE

The undersigned certifies that pursuant to RAP 18.17, the foregoing **ANSWER TO PETITION FOR REVIEW** was produced using word processing software and the number of words contained in the document, exclusive of words contained in any appendices, title sheet, table of contents, table of authorities, certificate of compliance, certificate of service, signature blocks, and pictorial images (*e.g.,* photographs, maps, diagrams, and exhibits) is 4,629.



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CERTIFICATE OF SERVICE

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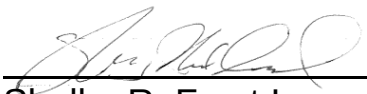

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April 22, 2022 - 3:59 PM

Transmittal Information

Filed with Court:	Supreme Court
Appellate Court Case Number:	100,730-2
Appellate Court Case Title:	In the Matter of the Marriage of Pamela Lynn Doddridge and William Scott Doddridge
Superior Court Case Number:	20-3-00048-1

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