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SUPREME COURT
STATE OF WASHINGTON
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Supreme Court No. 89812-0

Court of Appeals No. 66527-8-I

SUPREME COURT
OF THE STATE OF WASHINGTON

DONALD AND BETH COLLINGS,

Plaintiffs-Appellees,

v.

CITY FIRST MORTGAGE SERVICES, LLC,

Defendant-Appellant.

**CITY FIRST MORTGAGE SERVICES, LLC'S
MOTION TO WITHDRAW PETITION FOR REVIEW**

Leonard J. Feldman, WSBA No. 20961
David R. Goodnight, WSBA No. 20286
Aric H. Jarrett, WSBA No. 39556
STOEL RIVES LLP
600 University Street, Suite 3600
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 ORIGINAL

I. IDENTITY OF MOVING PARTY

The moving party is Defendant-Appellant-Petitioner City First Mortgage Services, LLC.

II. STATEMENT OF RELIEF SOUGHT

City First respectfully requests that the Court enter an order withdrawing City First's Petition For Review without an award of costs or fees to either party.

III. FACTS RELEVANT TO MOTION

City First and Plaintiffs-Respondents Donald and Beth Collings have reached a final settlement of the Collings's claims against City First.

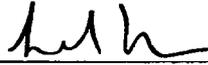
IV. GROUNDS FOR RELIEF AND ARGUMENT

RAP 17.1 states that "[a] person may seek relief, other than a decision of the case on the merits, by motion as provided in Title 17." Although included in a portion of the rules entitled "Violation of Rules" (a topic that is not relevant here), RAP 18.9(c)(2) further states that a party may seek dismissal of an appeal "if the application for review is ... moot." Here, the issues in City First's Petition For Review have become moot as a result of the settlement of the Collings's claims against City First. In accordance with that settlement, and as RAP 17.1 and RAP 18.9(c)(2) permit, it is appropriate to enter an order withdrawing City First's Petition

For Review, and dismissing the appeal, without an award of costs or fees to either party.

RESPECTFULLY SUBMITTED this 22nd day of January, 2014.

STOEL RIVES LLP

By 

Leonard J. Feldman, WSBA No. 20961
David R. Goodnight, WSBA No. 20286
Aric H. Jarrett, WSBA No. 39556

Attorneys for Defendant-Appellant City
First Mortgage Services, LLC

OFFICE RECEPTIONIST, CLERK

From: Feldman, Leonard J. <LJFELDMAN@stoel.com>
Sent: Thursday, January 23, 2014 8:41 AM
To: OFFICE RECEPTIONIST, CLERK; Dahlem, Susan
Cc: Howard Goodfriend; Catherine Smith; Ian Cairns; shaunta@smythlaw.com; jeff@smythlaw.com; jbaker@piteduncan.com; Goodnight, David R.; Jarrett, Aric H.; rstanford@piteduncan.com; andrew_mullen04@yahoo.com; sestest@kbmlawyers.com; Victoria Vigoren; Castro, Cindy M.; Brian T. Hunt (Brian.Hunt@City1st.com)
Subject: RE: Collings v. City First Mortgage Services, LLC, et al., COA Cause No. 66527-8-I
Attachments: City First Mortgage Services Motion to Withdraw Petition for Review.pdf; Certificate of Service re Motion to Withdraw Petition for Review.pdf

Attached for filing is City First Mortgage Services, LLC'S Motion To Withdraw Petition For Review and Certificate of Service in *Collings v. City First Mortgage Services, LLC*, Court of Appeals, Division I, Cause No. 66527-8-I. The attorney filing this document is Leonard J. Feldman, WSBA No. 20961, e-mail address ljfeldman@stoel.com.

From: OFFICE RECEPTIONIST, CLERK [mailto:SUPREME@COURTS.WA.GOV]
Sent: Friday, January 17, 2014 2:18 PM
To: Victoria Vigoren; Dahlem, Susan
Cc: Howard Goodfriend; Catherine Smith; Ian Cairns; shaunta@smythlaw.com; jeff@smythlaw.com; jbaker@piteduncan.com; Feldman, Leonard J.; Goodnight, David R.; Jarrett, Aric H.; rstanford@piteduncan.com; andrew_mullen04@yahoo.com; sestest@kbmlawyers.com
Subject: RE: Collings v. City First Mortgage Services, LLC, et al., COA Cause No. 66527-8-I
Importance: High

The petition for review and Court of Appeals files have not been received by the Supreme Court at this time. I am including the COA case manager on this reply regarding the parties having settled and wishing to withdraw the petition.

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: Victoria Vigoren [mailto:victoria@washingtontappeals.com]
Sent: Friday, January 17, 2014 12:47 PM
To: OFFICE RECEPTIONIST, CLERK
Cc: Howard Goodfriend; Catherine Smith; Ian Cairns; shaunta@smythlaw.com; jeff@smythlaw.com; jbaker@piteduncan.com; ljfeldman@stoel.com; drgoodnight@stoel.com; ahjarrett@stoel.com; rstanford@piteduncan.com; andrew_mullen04@yahoo.com; sestest@kbmlawyers.com
Subject: Collings v. City First Mortgage Services, LLC, et al., COA Cause No. 66527-8-I

Attached for filing is a letter to the Clerk, in *Collings v. City First Mortgage Services, LLC*, Court of Appeals, Division I, Cause No. 66527-8-I. The attorney filing this document is Catherine W. Smith, WSBA No. 9542, e-mail address: cate@washingtontappeals.com.

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