

No. 70335-8-I

IN THE COURT OF APPEALS
STATE OF WASHINGTON
DIVISION ONE

STOCK & ASSOCIATES, INC., a Washington corporation,

Plaintiff/Appellant,

v.

STUART McLEOD, an individual and McLEOD
DEVELOPMENT COMPANY, a Washington corporation,

Defendants/Respondents.

APPENDIX 1 TO BRIEF OF RESPONDENTS

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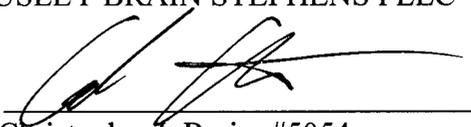
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STATE OF WASHINGTON
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ORIGINAL

The attached Appendix 1 was inadvertently omitted from the Brief of Respondents filed on or about February 3, 2014.

DATED this 4th day of February, 2014.

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By: 

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APPENDIX 1

CHRONOLOGY OF EVENTS

May, 2007	Work on Hotel Project commences.
September 23, 2007	Smedley discovery that it is critical to project to file building permit set of plans by February 1, 2008 to avoid \$957,000 in additional traffic impact fees.
October 1, 2007	Hotel Project terminated. Lake Street Project commenced. Fixed fee stipulated sum contract agreed to as form of contract.
October 11, 2007 (Exhibit 203)	Smedley advises consultant team of need to file plans prior to February 1, 2008.
October 22, 2007 (Exhibit 204)	Smedley tells McLeod that monthly invoices will contain a narrative addressing concerns about fees, contract, schedule, and changes to the process.
November 27, 2007 (Exhibit 205)	Smedley tells team of consultants that the permit set of plans would be filed January 15, 2008, before the February 1, 2008 deadline.
Late November, 2007	Smedley delivered blank AIA form B-151 and initial fee proposal.
December 16, 2008 (Exhibit 209)	Smedley first delivers Scope of Work and includes Stipulated Fee breakdown, as well as a draft invoice for October/November based thereon.
January 2, 2008 (Exhibit 212)	First invoice for October 2007 billed as a percentage of work completed based on Stipulated Fee and Scope of Work.
January 15, 2008	"Take care of us" meeting.
January 18, 2008 (Exhibit 216)	Date permit set of plans filed with City.
January 23, 2008 (Exhibit 214)	Second invoice for November 2007 billed as a percentage of work completed based on Stipulated Fee and Scope of Work.
January 31, 2008 (Exhibit 215) March 10, 2008 (Exhibit 216) April 22, 2008 (Exhibit 217) June 20, 2008 (Exhibit 218)	Monthly invoices for fees and costs by Stock, all billed as a percent of completion of work based on Stipulated Fee and Scope of Work.
September 24, 2008 (Exhibit 219)	Monthly invoice for fees and costs by Stock billed as a percent of completion of the work under the "base contract" using the Stipulated Fee and Scope of Work, and the first notice of ASR's Nos. 1 through 5 for "additional services" to base contract.

CERTIFICATE OF SERVICE

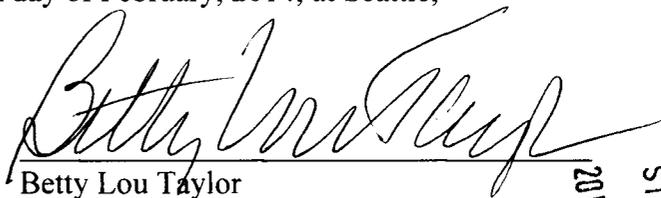
I, Betty Lou Taylor, hereby certify that on the 4th day of February, 2014, I caused to be served true and correct copies of the foregoing to the following person(s) in the manner indicated below:

Jami K. Elison, WSBA #31007	<input checked="" type="checkbox"/>	U.S. Mail, postage prepaid
Sheri Lyons Collins, WSBA #21969	<input type="checkbox"/>	Hand Delivered
Adam C. Collins, WSBA #34960	<input type="checkbox"/>	Overnight Courier
THE COLLINS LAW GROUP PLLC	<input type="checkbox"/>	Facsimile
2806 NE Sunset Blvd., Suite A	<input checked="" type="checkbox"/>	Electronic Mail
Renton, WA 98056		

Attorneys for Plaintiff/Appellant

I certify under penalty of perjury under the laws of the United States and the state of Washington that the foregoing is true and correct.

EXECUTED this 4th day of February, 2014, at Seattle, Washington.


Betty Lou Taylor

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