

No. 32909-7

COURT OF APPEALS  
OF THE STATE OF WASHINGTON,  
DIVISION III



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MADELYNN M. TAPKEN,

*Appellant,*

v.

SPOKANE COUNTY, a municipal corporation,

*Respondent*

and

CONRAD MALINAK,

*Appellant.*

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ON APPEAL FROM SPOKANE COUNTY SUPERIOR COURT  
Honorable John O. Cooney

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**REPLY BRIEF OF APPELLANT CONRAD MALINAK**

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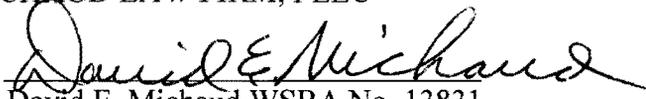
MICHAUD LAW FIRM, PLLC  
David E. Michaud  
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Attorney for Appellant Conrad Malinak

**Brief of Appellant Conrad Malinak**

Appellant Malinak hereby adopts the entire Reply Brief of Appellant Madelynn M. Tapken except for sections in relation to Plaintiff/Appellant's Tapken's Motion for Summary Judgment. Defendant/Appellant Malinak takes no position as to the Plaintiff/Appellant's Tapken's Motion for Summary Judgment re: Comparative Fault.

Respectfully submitted this 15<sup>th</sup> day of July, 2015.

MICHAUD LAW FIRM, PLLC

By   
David E. Michaud WSBA No. 13831  
Attorney for Appellant Conrad Malinak



COURT OF APPEALS  
OF THE STATE OF WASHINGTON  
DIVISION THREE

MADELYNN M. TAPKEN, a single person,

Appellant,

v.

SPOKANE COUNTY,  
Public Works/Department of  
Engineering & Roads, a Municipal  
Corporation,

Respondent,

and

CONRAD MALINAK,

Appellant.

No. 32909-7

Spokane County Superior  
Court No. 13-2-01216-7

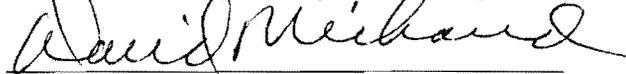
CERTIFICATE OF SERVICE

### CERTIFICATE OF SERVICE

I certify under penalty of perjury under the laws of the State of Washington, that I caused to be served a copy of the Reply Brief of Appellant Conrad Malinak to which this is attached, in the manner noted on the following person(s):

PARTY/COUNSEL	DELIVERY MANNER
Michael E. Tardif, Gregory E. Jackson John R. Nicholson FREIMUND, JACKSON & TARDIF, PLLC 701 Fifth Avenue, Suite 3545 Seattle, WA 98104 Fax. 206-466-6085	<input type="checkbox"/> Via U.S. Mail, First Class <input checked="" type="checkbox"/> Hand Deliver <input type="checkbox"/> Via Facsimile <input type="checkbox"/> Via Overnight Mail <input type="checkbox"/> Via E-Mail, per prior agreement
Roger A. Felice, WSBA #5125 Felice Law Offices, P.S. 505 W Riverside Ave., Suite 210 Spokane, WA 99201-0518 509-326-0510 509-326-1720 Fax	<input type="checkbox"/> Via U.S. Mail, First Class <input checked="" type="checkbox"/> Hand Deliver <input type="checkbox"/> Via Facsimile <input type="checkbox"/> Via Overnight Mail <input type="checkbox"/> Via E-Mail, per prior agreement
Jason W. Anderson Nicholas P. Scarpelli, Jr. Carney Badley Spellman, P.S. 701 Fifth Avenue, Suite 3600 Seattle, WA 98104 Fax. 206-467-8215	<input type="checkbox"/> Via U.S. Mail, First Class <input type="checkbox"/> Hand Deliver <input type="checkbox"/> Via Facsimile <input type="checkbox"/> Via Overnight Mail <input checked="" type="checkbox"/> Via E-Mail, per prior agreement

Dated this 15<sup>th</sup> day of July, 2015, at Spokane, Washington.



David Michaud