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SUPREME COURT  
STATE OF WASHINGTON  
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Supreme Court No. 95861-1

SUPREME COURT  
OF THE STATE OF WASHINGTON

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IN RE THE ESTATE OF TAYLOR GRIFFITH,

KENNETH AND JACKIE GRIFFITH,

*Petitioners,*

v.

BRADLEY MOORE, ET AL.,

*Respondents,*

and

MICHAEL B. KING, CARNEY BADLEY SPELLMAN, P.S., *et. al.*,

*Lawyer Appellants/Petitioners.*

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KENNETH AND JACKIE GRIFFITH'S REPLY IN SUPPORT OF  
MOTION FOR JOINT CONSIDERATION OF REVIEW

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## I. REPLY ARGUMENT

**A. The Griffiths have not requested or stated that consolidation has been granted but are merely asking that the two petitions for review be considered together.**

Contrary to the Harris Creditors' assertion, the caption of the Motion for Joint Consideration of Review does not falsely state that the two appeals have been consolidated. At the time the Motion was filed, no number had yet been assigned to the Petition for Review of the Court of Appeals decision in the TEDRA Action. That was the only reason the caption contained both cases. The Motion is clear that Kenneth Griffith and Jackie Griffith ("the Griffiths") only seek joint consideration of the petitions for review. The Griffiths have not asked the Court to consolidate review. Joint consideration makes sense given the overlap in the facts and issues of the two appeals. These appeals were argued back to back at the Court of Appeals for that very reason.

**B. Joint consideration of the petitions for review makes sense because of the common facts and issues and the inconsistent opinions.**

The Harris Creditors are simply incorrect that the Court of Appeals' decision in the TEDRA appeal did not hinge in part on a determination that Mr. Moore was a third party entitled to bring contribution claims against the Griffiths. The Opinion states that unlike a child, a third party is not barred by the parental immunity doctrine from bringing a contribution claim against a parent. *Slip Op.* at 20. That statement is made as part of a discussion of whether Mr. Moore breached his fiduciary duties to the Griffiths by repeatedly threatening to sue them

and his appointment was based on the false assertion of a conflict of interest.

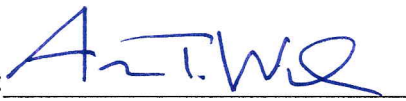
As explained in the Motion, the Petition for Review in 96241-3, and the Lawyer Appellants' Reply, the Court of Appeals had to be distinguishing between Mr. Moore and the Estate which has no rights beyond those which Taylor Griffith himself would have been able to assert. *See Woolridge v. Woolett*, 96 Wn.2d 659, 662-63, 638 P.2d 655 (1981). That distinction is inconsistent with the Court of Appeals' decision in No. 95861-1 that it was untenable for the Lawyer Appellants to make the same distinction for the purposes of representation.

## II. CONCLUSION

For the reasons stated in the Motion, this Reply, and the Reply of the Lawyer Appellants, this Court should consider the two petitions for review together.

RESPECTFULLY SUBMITTED this 7<sup>th</sup> day of September, 2018.

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By: 

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**Transmittal Information**

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**Appellate Court Case Title:** In re the Estate of: Taylor Griffith  
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