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Appellate Court Case # 76624-4-I
Supreme Court No 96608-7

SUPREME COURT NO.

STATE OF WASHINGTON
SUPREME COURT
COA No. 76624-4-I

HUY YING CHEN and YUEH HUA CHEN, Husband and Wife,
Appellant,

v.

JP Morgan Chase Bank, AS TRUSTEE F/K/A THE CHASE MANHATTAN BANK
SUCCESSOR IN INTEREST TO THE CHASE MANHATTAN BANK N.A.;

Respondent

AMENDED PETITION FOR DISCRETIONARY REVIEW

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TABLE OF CONTENTS TO PETITION FOR REVIEW

I. INTRODUCTION..... - 7 -

A. Identity of Petitioner..... - 7 -

B. Standard for Acceptance of review Decision..... - 7 -

II. ISSUES PRESENTED FOR REVIEW..... - 5 -

1. Whether this case of Lack of standing & lack of subject matter jurisdiction made foreign judgment of Case no. 08-2-13281-1 SEA and Sheriff foreclosure Sale “void”?..... - 8 -

2. Whether this case as foreign judgment case no. 08-2-13281-1 SEA during April 18, 2008 registered in “void” when Bankruptcy Court still under Automatic stay of 11. U.S.C 1332 (a) which caused irregularity and void for Sheriff foreclosure Sale?.....-8-

3. Whether this case of foreign judgment No. 08-2-13281-1 SEA under RCW 4.56.210, “Cessation of lien” after 10 years statutory expired with lien and void of Sheriff foreclosure Sale?.....-8-

4. Whether judgment creditors under fictitious entities cause lack of standing and irregularity and void of Sheriff foreclosure Sale?.....-8-

5. Whether judgment creditors under fictitious entities cause lack of standing and irregularity and void of Sheriff foreclosure Sale?.....-8-

6. Whether this case of fictitious Plaintiffs assignment without mortgage endorsed or allonged documents void foreign judgment Case no. 08-2-13281-1 SEA with irregularity and void of Sheriff foreclosure Sale?.....-8-

7. Whether this case of foreign judgment No. 08-2-13281-1 SEA “void” under RCW **6.36.045**(1)(a). when original summary judgment had been appealed in bankruptcy Court?.....-8-

III. STATEMENT OF THE CASE.....-8-

IV. ISSUES PRESENTED WITH LEGAL ARGUMENT.....-11-

a. It is a void for judgment creditors/Plaintiff lack of standing to executed in a Sheriff foreclosure Sale.....-11-

b. JPMorgan Bank lack of standing to bring in Sheriff sale. Only Chase Trustee can do but

it is a factitious entity without legal stands for judicial foreclosure sale.....	-11-
c. Bank of New York lack of standing to purchase in Sheriff sale as judgment Creditors, Only Mellon Trustee but it is a factitious entity with no stand who Cannot hold any legal title, also no position to a creditor bid.....	-12-
d. CHEN contend that COA erred affirm a Foreign judgment entered date and Cessation of lien date.....	-12
e. COA may erred stated Chen’s claim that the automatic stay provisions of 11 U.S.C.§ 362(a) rendered the judgment unenforceable is entirely without merit.....	-15-
f. The Court may erred stated Chen’s allegation for filed a objection for foreign judgment due the case had been appealed in District Court pursuant RCW 6.36.045.....	-17-
g. The COA may erred stated for Chen fails to establish noncompliance with RCW 6.21.030(1)(a).....	-17-
h. It is a conspiracy fraudulent and deceit case with all fictitious entities neither Chase Trustee nor Mellon Trustee were be real parties in Securitized PSA mortgage.....	-18-
i. This Court erred stated Chen failed to make a substantial portion of the monthly payments due under the loan.....	-19-
j. COA erred and misleading stated “Chase initiated a judicial foreclosure action”.....	-19-
IV. CONCLUSION	-19-

TABLE OF AUTHORITIES

CASES

<u>Skagit Surveyors</u> , 135 Wash.2d at 580, 958 P.2d 962 (Talmadge, J., dissenting).....	-5-
Krieschel v. Bd. of County Comm'rs of Snohomish County, 12 Wash. 428, 439, 41 P. 186 (1895).....	-7-
Tyler Pipe Indus., Inc. v. Dep't of Revenue, 105 Wash.2d 318, 327, 715 P.2d 123 (1986),.....	-7-
<i>Haberman v. Wash. Pub. Power Sup. Sys.</i> , 109 Wash.2d 107, 138, 744 P.2d 1032, 750 P.2d 254 (1987).....	-8-
<i>Cf. Skagit Surveyors & Eng'rs, LLC v. Friends of Skagit County</i> , 135 Wash.2d 542, 580, 958 P.2d 962 (1998) (Talmadge, J., dissenting).....	-8-
556, 958 P.2d 962-8-Betz v. Tower Sav. Bank, 185 Wash. 314, 322, 55 P.2d 338 (1936).....	-8-
Cogswell v. Brown, 102 Wash. 625, 173 P. 623 (1918).....	-8-
Weyerhaeuser Pulp Employees Fed. Credit Union v. Damewood, 11 Wash. App. 12, 15, 521 P.2d 953 (1974).....	-8-
Ferry County Title & Escrow Co. v. Fogle's Garage, Inc., 4 Wash.App. 874, 877-80, 484 P.2d 458 (1971).....	-8-
Mueller v. Miller, 82 Wash.App. 236, 247-48, 917 P.2d 604 (1996).....	-9-
<i>Hazel v. Van Beek</i> , 135 Wn.2d 45, 53 (1998).....	-10-
<i>Johns v. Erhart</i> , 85 Wn. App. 607, 934 P.2d 701(1997).....	-6-
<i>Fleck & Assocs., Inc. v. City of Phoenix</i> , 471 F.3d 1100, 1102 (9th Cir.2006).....	-10-
<i>Steel Co. v. Citizens for a Better Env't</i> , 523 U.S. 83, 94, 118 S.Ct. 1003, 140 L.Ed.2d 210 (1998).....	-10-
<i>Ex parte McCardle</i> , 74 U.S. (7 Wall.) 506, 514, 19 L.Ed. 264 (1868).....	-10-
Krieschel v. Bd. of County Comm'rs of Snohomish County, 12 Wash. 428, 439, 41 P. 186 (1895).....	-10-
Tyler Pipe Indus., Inc. v. Dep't of Revenue, 105 Wash.2d 318, 327, 715 P.2d 123 (1986).....	-10-
<i>Grub v. Fogle's Garage, Inc.</i> , 5 Wn.App. 840, 843, 491 P.2d 258 (1971).....	-10-
<i>Ferry County Title & Escrow Co. v. Fogle's Garage, Inc.</i> , 4 Wn.App. 874, 880, 484 P.2d 458.....	-10-
<i>Betz v. Tower Sav. Bank</i> , 185 Wn. 314, 322, 55 P.2d 338 (1936).....	-10-
<i>Cogswell v. Brown</i> , 102 Wn. 625, 173 P. 623 (1918).....	-10-

<i>Hardin v. Day</i> , 29 Wn. 664, 665, 70 P. 118 (1902).....	-10-
<i>Packwood v. Briggs</i> , 25 Wn. 530, 535, 65 P. 846 (1901).....	-10-
Reynolds v. Volunteer State Life Ins. Co., Tex.Civ. App., 80 S.W.2d 1087, 1092. Krutz, 18 Wash. at 463, 51 P. 1054.	
In re Electric Lightwave, Inc., 123 Wash.2d 530, 536, 869 P.2d 1045 (1994). 82 Wash.App. at 247-48, 917 P.2d 604 (holding that sheriff's sale that occurred after the expiration of the 10-year period of the judgment lien was void).	

STATUTES

RCW 6.21.110.....	-8- -
12-	
RCW 6.17.020.....	-12-
RCW6.21.110.....	-9-
RCW 4.56.210.....	-8-
RCW 6.21.030.....	-17-

RULES

RAP 13.4.....	-4 -
RAP 13.5.....	-4 -
11. U.S.C 1332 (a).....	-14 -

Appendix

Appendix A – The order affirm by Court of Appellate Commissioner

Appendix B – The denied Order for motion by Court of Appellate Panel

Appendix C - BP Investigation Report

Appendix D-foreign judgment case No. 08-2-13281-1 SEA in King County Superior Court.

Appendix E- Petitioner affidavit support BP Investigation Report

Appendix F- Misrepresentation for JP Morgan Bank as Judgment Plaintiff

Appendix G- Chase Trustee’s Counsel stated foreign judgment entered date at November 29, 2007

Appendix I- Chase Trustee obtained the judgment on November 29, 2007 (**Appendix I**)

Appendix J- be appealed to Federal District Court at December 10, 2007 (**Appendix M**).

Appendix K- case remand to Bankruptcy Court (**Appendix N**),

Appendix L case into on case with case No. C07-1972RSM (**Appendix P**)

Appendix M- October 2, 2008 Chase Trustee file a Sheriff sale in King County clerk office
(**Appendix R**)

I. INTRODUCTION

A. IDENTIFY OF PETITIONERS

Defendants/Petitioner, Huy Ying Chen & Yueh Hua Chen(decease), (hereinafter referred to as “CHEN”) through Pro Se, hereby petitions the Supreme Court of Washington State, pursuant to Washington State. RAP rule 13.4 for discretionary review the decision designated in Appendix B as order denied by COA’s Panel of the Court of Appeals Division 1 of dated November 07, 2018 and order denied CHENS’ reconsideration Appendix C for case no. No. 76624-4-I.

B. STANDARD FOR ACCEPTANCE OF REVIEW

The Petitioner seek discretion review of the denied order for motion for modify ruling by Court of Appellate Division 1 (“COA”) Chief Administration Clerk / Commissioner and Panel of the Court of Appeals Division 1 on dated of October 08, 2018 (**Appendix A**), and also denied Petitioner reconsideration at November 7, 2018 (**Appendix B**), A true and correct copy of the Order denied is attached to the Notice for Discretionary Review to this motion.

Pursuing RAP 13.4 (b) "A petition for review will be accepted by the Supreme Court only: (1) If the decision of the Court of Appeals is in conflict with a decision of the Supreme Court; or (2) If the decision of the Court of Appeals is in conflict with another decision of the Court of Appeals; or (3) If a significant question of law under the Constitution of the State of Washington or of the United States is involved; or (4) If the petition involves an issue of substantial public interest that should be determined by the Supreme Court.

With " RAP 13.4(b)(1)(3)(4). Petitioner alleged the case must applied under a procedural proceeding law of lack of jurisdiction & lack of standing without substantive merit law.

II. ISSUES PRESENTED FOR DISCRETIONARY REVIEW

The issues for discretion review presenting to the Supreme Court are for order denied Petitioner’s

Motion to Modify the Commissioner's ruling, COA Panel and reconsideration denied.

The issues as follows:

1. Whether this case of Lack of standing and lack of subject matter jurisdiction made foreign judgment of Case no. 08-2-13281-1 SEA and Sheriff foreclosure Sale "void"?
2. Whether this case as foreign judgment case no. 08-2-13281-1 SEA during April 18, 2008 registered in "void" when Bankruptcy Court still under Automatic stay of 11. U.S.C 1332 (a) which caused irregularity and void for Sheriff foreclosure Sale?
3. Whether this case of foreign judgment No. 08-2-13281-1 SEA under RCW 4.56.210, "Cessation of lien" after 10 years statutory expired with lien and void of Sheriff foreclosure Sale?
4. Whether judgment creditors under fictitious entities cause lack of standing and irregularity and void of Sheriff foreclosure Sale?
5. Whether this case of fictitious Plaintiffs assignment without mortgage endorsed or allonged documents void foreign judgment Case no. 08-2-13281-1 SEA with irregularity and void of Sheriff foreclosure Sale?
6. Whether this case of foreign judgment No. 08-2-13281-1 SEA "void" under RCW **6.36.045**(1)(a). when original summary judgment had been appealed in bankruptcy court?

III. STATEMENT OF THE CASE

This case arises out of a dispute between Petitioner CHEN as a judgment debtors against JPMORGAN CHASE BANK, AS TRUSTEE F/K/A THE CHASE MANHATTAN BANK SUCCESSOR IN INTEREST TO THE CHASE MANHATTAN BANK N.A" ("Chase Trustee") and Chase Trustee's successors of "THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A. AS TRUSTEE F/K/A THE CHASE MANHATTAN BANK SUCCESSOR IN INTEREST TO THE CHASE MANHATTAN BANK N.A" ("Mellon Trustee"), Chase Trust & Mellon Trust, both fictitious entities who claimed as judgment creditors are neither non-legally registered / nonexistent entities nor DBA ("doing business as") in USA, After Defendants hired a private investigator to check the chain of title ("Title") and found both of judgment creditors are fictitious entities. (**Appendix C**)

Defendant received Notice of Sheriff sale seriously late for only 10 days before Sheriff sale date schedule at December 16, 2016 with no received fictitious judgment Plaintiffs' defeat of certified mail either, which was sent to wrongful city name. Defendant filed a motion objecting the Sheriff sale with

improper personal service in Superior Court, Superior Court overruled Sheriff foreclosure sale. Petitioner appeal to (“COA”). During sheriff sale proceeding period, the original judgment Plaintiffs were fictitious entities lean on from Bankruptcy Courts’ summary judgment which violated an automatic stay **11 U.S.C. § 362(a)** which authenticated as a “void” initial foreign judgment case No. 08-2-13281-1 SEA in King County Superior Court (**Appendix D**) which created a writ of “void” sheriff foreclosure sale.

Factually even this a “void” foreign judgment was expired its 10 years statutory life from original Bankruptcy Court summary judgment entered at November 28,2007. Pursuant RCW4.56.210 “Cessation of lien” after judgment entered in original Bankruptcy Court without any creditor extension for judgment.

On October 08, 2018, The COA affirmed the trial court’s overruled against CHEN on Sheriff sale’s confirmation of sale and denied CHEN’s reconsideration at November 07,2018. Appellants understood this case has almost taken more than decade and still not finish judicial foreclosure proceeding yet which should not punishing Appellants. Recently the CHENs found the Plaintiffs of Judgment Creditor and its successor were all fictitious entities with lacks standing allegation and void executed sheriff sale. With evidence of (**Appendix E**) with **CHEN’s affidavit** presented, COA should support and not affirmed with void and set aside Sheriff foreclosure sale. Judgment creditors including Chase Trustee & Mellon Trustee had no standing to bring this sheriff foreclosure sale, no action in this case ever was commenced, as it must void ab initio. In the absence of standing on the part of the plaintiff, the court has no jurisdiction. 135 Wn.2d 542, SKAGIT SURVEYORS v. FRIENDS A court is powerless to adjudicate a controversy over which it lacks subject matter jurisdiction. With a void order under legal proceeding, especially Appellants also found Judgment Creditors (Plaintiff) successor was fictitious entities is not legally registered in any States of USA, without a legal standing just like lack of subject matter & personal jurisdiction that any judgment should be void. All presenting Appendixes could support authority and analysis. Whether a court has subject matter jurisdiction is a question of law reviewed de novo. *Dougherty v. Dep’t of Labor & Indus.*, 150 Wash.2d 310, 314, 76 P.3d 1183 (2003). A judgment entered by a court that lacks subject matter jurisdiction is void. *Marley v. Dep’t of Labor & Indus.*, 125 Wash.2d 533, 541, 886 P.2d 189 (1994). There is no time limit for attacking a void judgment. *Allstate Ins. Co. v. Khani*, 75 Wash.App. 317, 324, 877 P.2d 724 (1994). Harveyland contends the trial court lacked subject matter jurisdiction because Cole failed to prove her employer had at least eight employees, and consequently the judgment in favor of Cole is void.

CHEN understood The COA & Trial Court stated that this foreign judgment was from Bankruptcy Court not a monetary from Washington superior Court, and the **Trial** Court must treated foreign judgment as same of this state judgment under RCW [6.36.025](#) as well as a sheriff sale must follow the foreclosure procedure of sheriff sale. But this foreign judgment rule RCW [6.36.025](#) should not applied in a “void”

foreign judgment in ab initio.

During void sheriff foreclosure sale, Counsel of judgment creditor made an oath in perjury to Court Clerk office and Sheriff office with their misrepresented documents (“**Appendix F**”) stated that JP Morgan Chase Bank (“Chase Bank”) are same entity of Chase Trustee - JP Morgan Chase Bank, AS TRUSTEE F/K/A THE CHASE MANHATTAN BANK SUCCESSOR IN INTEREST TO THE CHASE MANHATTAN BANK N.A; as well as “Chase Trustee” successor name as THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A. FKA THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO JPMORGAN CHASE BANK, N.A. AS TRUSTEE FOR RESIDENTIAL ASSET MORTGAGE PRODUCTS, INC., MORTGAGE ASSET-BACKED PASS-THROUGH CERTIFICATES SERIES 2005-RP3 (“Mellon Trustee”) are same of the Bank of New York (Bank of New York), Chase Trustee & Mellon Trustee are fictitious parties with maliciously fabricated documents Chase Trustee under fraudulent and deceit. CHEN obtain this information lately after hiring a financial private investigator. CHEN recognized it is a huge surprised and never imagined for past decade to fight with a fictitious entities. Without Plaintiff Counsels’ perjury for fictitious judgment creditor entities a void foreign judgment and void sheriff sale never would have been executed.

A wrongful foreclosure with lack of standing have been filed in U.S. Federal District Court because the trial court consistently said that trial Court not made monetary the judgment. The trial Court can only “Execute the foreign judgment” from Bankruptcy Court, which cause CHEN need to collateral attack the original order in United District Court that Case no. 2:18-cv-01269-RST for complaints’ cause of action 1. Lack of Standing to foreclosed. 2. Fraud in the concealment. 3. Fraud in the inducement. 4. Intentional infliction of emotional distress. 5, Quiet title. 6. Slander of title 7. Declaratory Relief.

V. ISSUES PRESENTED WITH LEGAL ARGUMENT

The following merit with evidences should be considered as irregularity and void of Sheriff foreclosure Sale:

a. It is a void for judgment creditors/Plaintiff lack of standing to executed in a Sheriff foreclosure Sale:

According to a 3rd party investigator report (**Appendix C**) with CHEN fully affidavit for the Sheriff Sale which under judgment creditor named as JP Morgan Chase Bank AS TRUSTEE f/k/a THE CHASE MANHATTAN BANK SUCCESSOR IN INTEREST TO THE CHASE MANHATTAN BANK N.A; (“**Chase Trustee**”) are complete separately entity with different of JP Morgan Chase Bank (“Chase Bank”), and its successor name as THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A. FKA THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR

TO JPMORGAN CHASE BANK, N.A. AS TRUSTEE FOR RESIDENTIAL ASSET MORTGAGE PRODUCTS, INC., MORTGAGE ASSET-BACKED PASS-THROUGH CERTIFICATES SERIES 2005-RP3 (“**Mellon Trustee**”) are also complete separately entity with different than the Bank of New York (“**Bank of New York**”), Chase Trustee & Mellon Trustee are fictitious parties under maliciously fabricated all documents. CHEN obtained this information recently after hiring a financial investigator and found those fraudulent and deceit. (**Appendix C**).

b. JPMorgan Bank lack of standing to bring in Sheriff sale. Only Chase Trustee can do but it is a factitious entity, which no legal stand for judicial foreclosure sale.

Standing must exist on the date the complaint is filed and throughout the litigation at each stage of the litigation—from the initial pleading stage, through summary judgment, and trial—the plaintiff must carry that burden even in Sheriff Sale. Plaintiffs as judgment creditors must demonstrate standing for each claim and each request for relief.

Plaintiff Counsel made oath under perjury to misrepresented Trial Court’s Sheriff office and Clerk office, cause misleading that JP Morgan Chase Bank are same of Chase Trustee. As well as made oath under perjury to mislead Trial Court Sheriff office and Clerk office that Bank of New York are same of Mellon Trustee. CHEN understood that trial court could only execute a foreign judgment for bankruptcy Court’s summary judgment but when Sheriff sale execute a writ must take affidavit from JP Morgan Trustee and Counsel made an oath with perjury under JPMorgan are violate as irregularity proceeding.

c. Bank of New York lack of standing to purchase in Sheriff sale as judgment Creditors and only Mellon Trustee but it is a factitious entity with no standing who Cannot hold any legal title, also has no position to be a creditor bid.

Although Mellon Trustee claimed it's as successor from Chase Trustee but beside Chase Trustee are fictitious entity that nothing could prove Mellon trustee are successor especially from (**Appendix C**) private 3rd party report points out Mellon Trustee it is also fictitious entity. With the rule of unincorporated business entities cannot hold legal tile for any real estate that execute a Sheriff foreclosure sale must be void.

d. The COA erred affirm for a Foreign judgment enter dated and Cessation of lien date:

Please refer to **Appendix G** which first Chase Trustee’s Counsel stated that the judgment entered date at November 29, 2007 in Bankruptcy Court and this first Counsel of Chase Trustee

brought Bankruptcy Court's judgment as foreign judgment case no. 08-2-13281-1 SEA and Decree of foreclosure to Superior Court clearly filed his documents for entered date are November 29, 2007. Pursuit **RCW4.56.210** clearly ruled that a foreign judgment starts the date entered and end at completed of Confirmation of sale that final Confirmation of sale date are yet arrival. This foreign judgment Case No. 08-2-13281-1 must decrease by law.

RCW 4.56.190 states that judgment liens shall "commence as provided in RCW 4.56.200 and run for a period of not to exceed ten years from the day on which such judgment was entered. "RCW 4.56.210 - Cessation of lien," states that after the expiration of ten years from the date of the entry of any judgment heretofore or hereafter rendered in this state, it shall cease to be a lien or charge against the estate or person of the judgment debtor. No suit, action or other proceeding shall ever be had on any judgment rendered in this state by which the lien shall be extended or continued in force for any greater or longer period than ten years. RCW 4.56.210 is clear; after the expiration of 10 years of "any judgment heretofore or hereafter rendered in this state, it shall cease to be a lien or charge against the estate or person of the judgment debtor."

RCW 4.56.210

Cessation of lien—Extension prohibited—Exception.

(1) Except as provided in subsections (2) and (3) of this section, after the expiration of ten years from the date of the entry of any judgment heretofore or hereafter rendered in this state, it shall cease to be a lien or charge against the estate or person of the judgment debtor. No suit, action or other proceeding shall ever be had on any judgment rendered in this state by which the lien shall be extended or continued in force for any greater or longer period than ten years.

"A judgment lien is born by statute, RCW 4.56.190,"¹³ and dies by statute, RCW 4.56.210.[¹⁴]" *Grub v. Fogle's Garage, Inc.*, 5 Wn.App. 840, 843, 491 P.2d 258 (1971). The *Grub* court held that "when the judgment expires the ancillary proceedings by way of execution, if the sale has not been confirmed, expire with it." *Grub*, 5 Wash. App. at 843, 491 P.2d 258 (quoting *Ferry County Title & Escrow Co. v. Fogle's Garage, Inc.*, 4 Wn.App. 874, 880, 484 P.2d 458, review denied, 79 Wn.2d 1007 (1971)) (Italics omitted).

A trial court must confirm a sheriff's sale pursuant to RCW 6.21.110. "Confirmation is an essential procedural step in completion of an execution sale." *Ferry*, 4 Wash.App. at 880, 484 P.2d 458 (citing *Betz v. Tower Sav. Bank*, 185 Wn. 314, 322, 55 P.2d 338 (1936)). Confirmation is a condition precedent to the issuance of a sheriff's deed, which passes legal title to the purchaser. RCW 6.21.120;

Ferry, 4 Wash. App. at 880, 484 P.2d 458 (citing *Cogswell v. Brown*, 102 Wn. 625, 173 P. 623 (1918)). Thus, the *Ferry* court concluded that the sale is only completed when it is confirmed within the statutory period. *Ferry*, 4 Wash. App. at 880, 484 P.2d 458. Both *Grub* and *Ferry* concerned prohibition of the sheriff's sale; they did not concern a collateral attack after the sale was confirmed. *Grub*, 5 Wash.App. at 841, 491 P.2d 258; *Ferry*, 4 Wash.App. at 880, 484 P.2d 458.

CHEN contend the original judgment from Bankruptcy court at November 28,2007 and confirmation of sheriff's sale on February 02, 2018, occurred after the 10-year period of the judgment lien, which expired on November 17,2007 . A confirmation of sale that occurs after the lien has expired is void because "there being no lien in existence, there could have been no authority for the sheriff sale in any execution that might have been issued." *Hardin v. Day*, 29 Wn. 664, 665, 70 P. 118 (1902) (affirming trial court's refusal to confirm sale that occurred after the judgment lien expired) (quoting *Packwood v. Briggs*, 25 Wn. 530, 535, 65 P. 846 (1901) (competing mortgage and judgment liens, held execution void because lien ceased to exists prior to sale)). Thus, the sheriff's sale was void at the outset .

CHEN point out that nothing could be changed the rule that all steps to the execution, including confirmation, must be completed within 10 years. This case is factually similar to both *Hardin Hardin v. Day*, 29 Wn. 664, 665, 70 P. 118 (1902) and *Packwood Packwood v. Briggs*, 25 Wn. 530, 535, 65 P. 846 (1901), in which both the sale and confirmation would have occurred after the statutory period, had no challenge been filed. While those cases, respectively, refused confirmation and enjoined a sheriff's sale, neither ruling would have been made unless the sale was void and incurable by subsequent confirmation.

We hold that the judgment lien in this case expired prior to the November 19, 1993 hearing to confirm the sale and was not extended by any bankruptcy.

Under these statutes, the judgment lien in this case expired on November 27, 2017. The Superior Court granted the motion to confirm the sale through Ex Parte on February 02, 2018 after 82 days later.

The COA affirmed trial court overrule for confirmation of sheriff sale due foreign judgment statutory life not expire until April 17, 2018 and original date started at April 18, 2008 which date register in King County Superior Court. CHEN contend the confirmation of sale is an essential part of the execution and must be completed before the expiration of the judgment lien. The date entered at original Bankruptcy Court at November 28, 2007 and must expire at November 27, 2017. A judgment lien lives and dies by statute.¹⁴ In *Ferry County Title & Escrow Co. v. Fogle's Garage, Inc.*, Division III of this court upheld a summary judgment permanently restraining a judgment creditor from proceeding with an execution sale

where the sale could not be confirmed prior to the statutory expiration of the judgment. Division II recently cited Fogle's Garage favorably in Mueller v. Miller. First, Fogle's Garage correctly points out that our Supreme Court has held that an execution sale, as well as issuance of the execution, must take place within the statutory life of the judgment. In addition, the court has held that confirmation of sale is an essential step in an execution sale. This court is bound by that Supreme Court precedent.

e. COA may erred stated Chen's claim that the automatic stay provisions of 11 U.S.C. § 362(a) rendered the judgment unenforceable is entirely without merit.

Please Refer to fictitious Chase Trustee obtained the judgment on November 29, 2007 (**Appendix I**) and the case be appealed to Federal District Court at December 10, 2007 (**Appendix M**). On April 11, 2008 case remand to Bankruptcy Court (**Appendix N**), which mean at April 11 2008 that after April 11 2008 this adversary proceeding remand to "automatic stay" under Bankruptcy Court under 11 U.S.C. § 362(a) and Chase Trustee never lift from Bankruptcy Court "automatic stay" therefore Chase Trustee authentically its Foreign judgment No. 08-2-13281-1 SEA "void " in first place and unenforceable ab initio.

This COA correct for CHEN adversary proceeding case be denied "Stay" from U.S. District Court at March 24, 2008 but from **Appendix O that Court should found the case remand from Federal District Court to Bankruptcy Court.*

On date of December 10,2007 Chen filed Court of Appeal (U.S. District Court) with case No. C07-1972RSM, C07-1973RSM, C07-1974RSM (**Appendix P1**)

At December 27, 2007 District Court Clerk office consolidated all 3 case into on case with case No. C07-1972RSM (**Appendix P**)

On date of March 24,2008 U.S. District Court denied CHEN's motion of Stay for summary judgment but case still pending proceeding in U.S. District Court (**Appendix O**), no any foreclosure execution or writ of levy to be issued in Federal Marshall nor State Marshall office.

On date of April 11, 2008 U.S. District Court remanded the case back to Bankruptcy Court which remand Bankruptcy proceeding by 11 U.S.C. § 362(a) under "automatic stay" (**Appendix N**)

On date of April 18, 2007 Chase forward Bankruptcy Court summary judgment to Washington Superior Court as a foreign judgment with case no 08-13456 SEA which order still under “automatic stay” have never be “lift” from Chapter 11 bankruptcy Court and still under bankruptcy proceeding. 11 U.S.C. § 362(a) -automatic stay.

On date of June 03, 2008, Chen file an objection to Superior Court for invalidated for a foreign judgment registered of case 08-2-13281-1 SEA. The superior Court clerk office did not void for this foreign judgment.

On date of October 2, 2008 Chase Trustee file a Sheriff sale in King County clerk office (**Appendix R**) under foreign judgment No. 08-13456 SEA, which the superior Court clerk office missed from the docket for a “void” foreign judgment.

*A trial court has no discretion when faced with a void judgment and must vacate the judgment "whenever the lack of jurisdiction comes to light." Mitchell v. Kitsap County, 59 Wash. App. 177, 180-81, 797 P.2d 516 (1990) (collateral challenge to jurisdiction of pro tem judge granting summary judgment properly raised on appeal) (citing Allied Fidelity Ins. Co. v. Ruth, 57 Wash. App. 783, 790, 790 P.2d 206 (1990)). A defendant does not waive the defense and obtains the trial court's determination that a plaintiff lacks standing, that determination and the doctrine of standing prohibit the plaintiff from raising another's legal rights. [Haberman v. Wash. Pub. Power Sup. Sys., 109 Wash.2d 107, 138, 744 P.2d 1032, 750 P.2d 254 \(1987\)](#). It is improper for a plaintiff lacking standing to assert the rights of other parties or nonparties; its claims fail on account of its lack of standing. Thus, while not a matter of subject matter jurisdiction, the claims of a plaintiff determined to lack standing are not his or hers to assert and cannot be resolved in whole or in part on the merits. Cf. [Skagit Surveyors & Eng'rs, LLC v. Friends of Skagit County, 135 Wash.2d 542, 580, 958 P.2d 962 \(1998\) \(Talmadge, J., dissenting\)](#) (a dismissal due to lack of standing is tantamount to a finding that the trial court lacks subject matter jurisdiction to hear the claim). Having found that Billy lacked standing, the trial court should not have proceeded to the merits. *Id.* at 556, 958 P.2d 962 (recognizing that "[l]ack of jurisdiction over the subject matter renders the superior court powerless to pass on the merits of the controversy brought before it").*

A motion to vacate under CR 60(b)(5) "may be brought at any time" after entry of judgment. Lindgren v. Lindgren, 58 Wash. App. 588, 596, 794 P.2d 526 (1990), review denied, 116 Wash. 2d 1009, 805 P.2d 813 (1991); see also Brenner v. Port Bellingham, 53 Wash. App. 182, 188, 765 P.2d 1333 (1989) ("motions to vacate under CR 60(b)(5) are not barred by the 'reasonable time' or the 1-year requirement of CR 60(b)").

Void judgments may be vacated regardless of the lapse of time. In re Marriage of Leslie, 112 Wash. 2d 612, 618-19, 772 P.2d 1013 (1989). Consequently, not even the doctrine of aches bars a party from attacking a void judgment. Leslie, 112 Wash. 2d at 619-20.

f. The Court may erred stated Chen’s allegation for filed a objection for foreign judgment due the case had been appealed in District Court pursuant RCW 6.36.045

6.36.045

Effect of appeal from or stay of execution of foreign judgment—Grounds for stay of enforcement.

(1)(a) If the judgment debtor shows the superior court of any county that an appeal from the foreign judgment is pending or will be taken, or that a stay of execution has been granted, the court shall stay enforcement of the foreign judgment until the appeal is concluded, the time for appeal expires, or the stay of execution expires or is vacated, upon proof that the judgment debtor has furnished the security for the satisfaction of the judgment required by the state in which it was rendered.

On date of 06/02/2008 CHEN have filed an objection of foreign judgment of Case no. 08-2-13281-1 SEA due the case applied at RCW 6.36.045 must be void. Trial Court Clerk office have record but have no vacated that foreign judgment. With this Sheriff foreclosure sale must be void.

g. The COA may erred stated for Chen fails to establish noncompliance with RCW 6.21.030(1)(a)

RCW [6.21.030](#) - Notice of sale—Real property—Form for publication.

(1) The judgment creditor shall: (a) Not less than thirty days prior to the date of sale, cause a copy of the notice in the form provided in RCW 6.21.040 to be (i) served on the judgment debtor or debtors and each of them in the same manner as a summons in a civil action, or (ii) transmitted both by regular mail and by certified mail, return receipt requested, to the judgment debtor or debtors, and to each of them separately if there is more than one judgment debtor, at each judgment debtor's last known address; and

a. CHEN content the Court affirm stated because base on RCW 6.21.030(1)(a) which clearly said “Not less than thirty days prior to the date of sale “ and neither Redmond nor Sammamish for city name which certified mail sent to that CHEN have no received this certified letter at all and obviously have no return receipt received by judgment creditor, the rule strictly for “Not less than 30 days” which protect judgment debtor with enough time for further legal assistant. With the true circumstance that the day CHEN with

knowledge about “notice of sale” which already 1 week available which totally against State [legalistic](#) principle, which also violate a thirty days prior to date of sale rule RCW 6.21.030(a).

b. CHEN contend COA affirm stated that no time limitation base on **RCW 6.21.030(1)(c)** which judgment creditor should file an affidavit with the Court that the judgment creditor has complied with the notice requirements of this section. Please be noted that RCW 6.21.030(1)(c) are part of RCW 6.21.030 for “Notice of Sale”, COA correct RCW 6.21.030(1)(c) have no time frame but should also be applied “Notice of Sale” **RCW 6.21.030(a)** which must before Sheriff Sale. Sheriff office must check all Notice requirements before the day of Sheriff Sale. With lack of any of Notice requirements then Sheriff sale cannot proceed.

H. It is a conspiracy fraudulent and deceit case with all fictitious entities because neither Chase Trustee nor Mellon Trustee were be real parties in Securitized PSA mortgage.

For a base reason that Chase Trustee & Mellon Trustee was about to be steal CHEN house because they never own the house title or got endorsement Deed of Trustee or Promise note. This fictitious entities pretend as banks were using fabricated documents to go forward wrongful foreclosure (**Appendix S**) that nothing indorsed on Deed of Trust or promising note. For base on those fabricating and/or presenting false and misleading documents in foreclosure cases. These documents have been presented in court before judges as actual assignments of [mortgages](#) and have later been shown to be legally inadequate and/or insufficient. Presenting faulty bank paperwork due to the mortgage crisis and thousands of foreclosures per month."

I. This Court erred stated Chen failed to make a substantial portion of the monthly payments due under the loan.

As above statement that the WMB’s loan had been sold to CTB and CTB have been settle with CHEN and the problems WMB re-sold their loan to many parties. Otherwise WMB should have transfer to JPMorgan Bank which according Private report that he cannot find any transaction from WMB to JP Morgan Bank through FDIC. Furthermore, without any indorsed documents should meaning no assignment which means all parties understand this is a fraudulent & deceit.

J. COA erred and misleading stated “Chase initiated a judicial foreclosure action”.

With some degree that this court stated that “Chase initiated a juridical foreclosure action” but must be noted from which Chase? Is it either JPMorgan Chase Bank or Chase Trustee which as above allegation that were separately different entities? JP Morgan Chase bank are a registered and famous entity but not a judgment creditor and the real judgment creditor of Chase Trustee are not a register and legal existed, neither JP Morgan Chase bank nor Chase Trustee have stand to a foreign judgment sheriff sale.

Especially at this moment, all related Counsels either foreclosure mill Counsel or foreclosure collection Counsel all be sued in U.S. Federal District Court for their conspiracy fraudulent.

VII. CONCLUSION

For the foregoing reasons, CHEN as petitioner request that the Supreme Court grant discretionary Review for motion to objecting of confirmation of sheriff sale.

Respectfully submitted this 6th day of December 2018.



By : CHEN HUY YING as Pro Se

Dated: December 6, 2018
At: Sammamish, Washington

Appellate Court Case # 76624-4-I

SUPREME COURT NO.

STATE OF WASHINGTON
SUPREME COURT
COA No. 76624-4-I

HUY YING CHEN and YUEH HUA CHEN, Husband and Wife,
Appellant,

v.

JP Morgan Chase Bank, AS TRUSTEE F/K/A THE CHASE
MANHATTAN BANK SUCCESSOR IN INTEREST TO THE CHASE
MANHATTAN BANK N.A.;

Respondent

APPENDIX

PRO SE for Appellant
CHEN HUY YING
5112 189th Ave N.E
Sammamish, WA 98074
Phone: (206) 779-8880
Email: hy@nobo.us

APPENDIX A

RICHARD D. JOHNSON,
Court Administrator/Clerk

The Court of Appeals
of the
State of Washington

DIVISION I
One Union Square
600 University Street
Seattle, WA
98101-4170
(206) 464-7750
TDD: (206) 587-5505

February 26, 2018

Yueh-hua Lee Chen
5112 189th Avenue NE
Sammamish, WA 98074

Huy-ying Chen
5112 189th Ave NE
Sammamish, WA 98074

Cody Michael Weston
Attorney at Law
1120 NW Couch St Fl 10
Portland, OR 97209-4128
CWeston@perkinscoie.com

Joshua Saul Schaer
Perkins Coie LLP
10885 NE 4th St Ste 700
Bellevue, WA 98004-5579
jschaer@perkinscoie.com

CASE #: 76624-4-I
Huy Ying Chen, Appellant v. JP Morgan Chase Bank, Respondent

Counsel:

The following notation ruling by Commissioner Masako Kanazawa of the Court was entered on February 26, 2018, regarding appellant's motion to dismiss this court proceeding due to original judgment statutory life expired over 10 years and respondent lacks standing for further suit:

"On March 29, 2017, defendant Huy-Ying Chen, pro se, filed a notice of appeal from a February 28, 2017 trial court order that denied reconsideration of a February 10, 2017 order, which overruled his objection to the confirmation of a sheriff's sale. Chen has filed his opening brief of appellant, and respondent bank has filed its brief. Chen's reply brief is currently due March 26, 2018.

Meanwhile, on February 26, 2018, Chen filed an "emergency motion to dismiss this court proceeding due to original judgment statutory life expired over 10 years and respondent also 'lack of standing' for further suit." Chen does not explain the basis of his claimed "emergency." He appears to ask this Court to reverse and vacate a trial court judgment on a motion. Chen's motion is essentially a motion on the merits to reverse. By general order, this Court does not use the motion on the merits procedure and does not reverse a trial court decision on the merits by a motion. This case is ready for consideration by a panel after Chen files a reply brief or the time for him to do so expires.

Chen's emergency motion is denied."

Sincerely,



Richard D. Johnson
Court Administrator/Clerk
SSD

APPENDIX B

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION ONE

JP MORGAN CHASE BANK, as
Trustee f/k/a THE CHASE
MANHATTAN BANK, successor in
interest to THE CHASE MANHATTAN
BANK, N.A., its successors in interest
and/or assigns,

Respondent,

v.

HUY-YING CHEN and YUEH-HUA LEE
CHEN, husband and wife,

Appellants,

CHINA TRUST BANK (USA); NEIL
GOLDBERGER, an individual; V.N.
PRODUCTS, INC., a California
corporation; Occupants of the premises;
and all persons or parties unknown
claiming any right, title, estate, lien, or
interest in the real estate described in
the complaint,

Defendants.

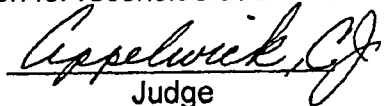
No. 76624-4-I

ORDER DENYING MOTION
FOR RECONSIDERATION

The appellant, Huy-Ying Chen, has filed a motion for reconsideration. A majority of the panel has determined that the motion should be denied.

Now, therefore, it is hereby

ORDERED that the motion for reconsideration is denied.


Judge

APPENDIX C

Chain of Title & Securitization Analysis ©

#250

Order Submission: Huy Ying Chen

Client Name *

Order Date * Tuesday, June 27, 2017

Fact Patterns Securitization

Identified: Late or Missing Assignments

Defunct Entities

Other

Trust Name No Actual Trust Name Provided In Assignment

Trust Capture

MBSData Zip File

(Note – This

replaces the

following fields:

Trust Capture,

Remittance

Report, Tranche

Data, Loan Level

Data, & Deal

Snapshot.)

Trust Closing Date

SEC Link – Pooling

& Servicing

Agreement"

SEC Link –
Prospectus

Most Recent Trust
Remittance Report

Deal Snapshot

Loan Level Data

Tranche Data

Assignment(s)



[assignments__chen.pdf](#) 133.02 KB · PDF

County Liens
Report



[county_liens_report__chen.tiff.tif](#) 221.62 KB · TIF

MERS Capture

GSE Capture

Corporate Search
Results (if
available)

Exhibit A



[liens_123__chen.pdf](#) 2.10 MB · PDF

Exhibit B



[ocwen_consent_order_2014__ny.pdf](#) 481.48 KB · PDF

Exhibit C



[cynthia_riley__no_poa_or_corporate_resolution_exists_authorizing_her_stampsignature.png](#)

77.08 KB · PNG

Exhibit D



[qualified_written_request_example__private_mbs_trust21.docx](#) 16.23 KB · DOCX

Exhibit E

Case Narrative Summary:

CONFIDENTIAL

The information contained in this report is intended only for the person or entity to which they are addressed and may contain confidential and/or privileged information. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient may be prohibited by state or federal law. If you received this report in error, please contact BP Investigative Agency @ 406-328-4075, or email info.bpia@gmail.com, and delete the material from any computer or server where electronic information is stored. Thank you.

This Report includes an analysis of legal defects in the chain of title. It also provides an explanation of novel legal defenses. Since foreclosure takes place in judicial and non-judicial jurisdictions in the 50 states and the District of Columbia, enacted and decisional law may be expected to vary. Accordingly, the legal defense must be adapted by the practitioner to conform to local law. The Attachments are included to provide practitioners with additional background information about securitization and mortgage defense.

This Report contains information, opinions, findings and remarks which are unique and proprietary. In addition, this Report was also prepared for the use of BP Investigative Agency, LLC. (BPIA), a limited liability company organized under the laws of Montana, which is conducting securitization audits for its patrons and customers. Accordingly, it is necessary for the continued operation of BPIA's business plan to treat the Report as confidential, and a protective order will be necessary to protect the Report's confidentiality and restrict its distribution, dissemination and publication electronically or in hardcover.

FINDINGS AND OVERALL OPINIONS:

1. Subject loan was originated on or about February 2, 1999 with the named lender "Washington Mutual Bank" (WMB).
2. Two assignments of the DOT have been recorded in the county land records which are deceptive and likely fraudulent. The assignments reflect a fatally defective chain of title for the reasons set forth below.

The sequential order of the assignments are as follows:

Assignment #1 -

Recorded: 03/21/2006

Executed: 02/14/2005

Assignor: Washington Mutual Bank

Assignee: JPMorgan Bank, N.A. as Trustee (Redactions)(appears to be "fka Chase Manhattan Bank as Trustee").

Assignment #2 -

Recorded: 05/01/2012

Executed: 04/10/2012

Assignor: JPMorgan Chase Bank, N.A. fka JPMorgan Chase Bank as Trustee

Assignee: The Bank of New York Mellon Trust Company, N.A. fka The Bank of New York Trust Company, N.A. as successor in interest to JPMorgan Chase Bank, N.A. as Trustee Pooling & Servicing Agreement dated as of November 1, 2005 Mortgage Asset-Backed Pass-Through Certificates, Series 2005-RP3.

These assignments are deceptive, likely fraudulent, and represent fatal defects for the following reasons:

(a.) There is no evidence of MERS involvement. Assignment one is recorded in 2006 long before WMB went into receivership by the FDIC on September 25, 2008. As such, the loan did not go through the FDIC and cannot be claimed as an acquired asset by JPMorgan Chase by virtue of the Purchase & Assumption Agreement (PAA.)

(b.) Assignment #1 names a redacted and incomplete name for the Assignee which is deceptive. The Assignee name is "JPMorgan Chase Bank, N.A. as Trustee" with what appears to be "fka Chase Manhattan Bank as Trustee" redacted out. There is no name given of a trust to which the Assignee is acting as trustee. Thus, this assignment from the originating entity (WMB) is assigned to an undisclosed entity which means it is arguably defective and carries no weight. This means that the loan did not go through the FDIC prior to WMB's demise, and the defective assignment cannot be cured with WMB no longer in existence.

(c.) Assignment #2 is executed by an entity that does not exist, and is deceptive not only for this fact, but also for the

fact that the Assignee Trust is incomplete and fails to identify the parties to the series.

The Assignor "JPMorgan Chase Bank, N.A. fka JPMorgan Chase Bank as Trustee" is a ruse. There is no entity that appears to exist by this name, and the name fails to name the other "fka – Chase Manhattan Bank as Trustee."

The assignment also names a "series 2005–RP3" trust without naming any issuing entity for the series. The assignment was likely prepared by Ocwen Loan Servicing which is evidenced in the upper left corner of the document. These types of deceptive and fraudulent assignments lead to Ocwen's "Consent Judgment" attached above as Exhibit B.

(d.) Assignment #1 is executed by Cynthia Riley as VP of WMB. There is a lot of information regarding Riley and the use of her signature on note endorsements and assignments as an officer of WMB. Attached above in Exhibit C is a statement made by JPMorgan Chase in a Florida case "Waisome" whereby Chase states there is no corporate resolution in its possession showing that Riley had the authority to execute documents as an officer of WMB.

(e.) Assignment #1 has two different loan numbers. The left upper corner has "Loan No. 0019012565" and under the bar code is "Loan#9863313." This is suspicious.

It is my opinion that no assignee has been identified in these assignments, and because the loan was sold to someone by WMB prior to its failure, the loan did not go through the FDIC. This signifies a "Wild Deed" at this point.

3. Review Transfer of Ownership Notices –

Due to assignment occurring in 2012, the following applies:

The Helping Families Save Their Homes Act of 2009 also added a new provision in TILA which requires that whenever ownership of a mortgage loan securing a consumer's principal dwelling is transferred, the creditor that is the new owner or assignee must notify the borrower in writing, within 30 days after the loan is sold or assigned, of the following information:

- the new creditor's identity, address, and telephone number;
- the date of transfer;
- location where the transfer is recorded;
- how the borrower may reach an agent or party with authority to act on behalf of the new creditor; and

- any other relevant information regarding the new owner.

The new law applies to any transfers made after the Act's effective date, which was May 20, 2009. Were any transfer notices provided?

4. Though no issuing entity trust has been identified, the only named trust that possibly fits with the named series "2005-RP3" is a trust associated with Residential Funding Corp (RFC) called "RAAC 2005-RP3." RFC is identified on Assignment #1. I ran a check of the loans within this trust using MBSData and no loan matching the subject loan appeared within the current or past trust data. No additional trusts identified.

5. No copy of the note in its current state has been provided for inspection. Recommendation is to send a QWR Request seeking all sales and transfer dates and the parties to those transactions, as well a request for a copy of the note reflecting all sales through endorsement(s) and/or allonge(s). A sample copy of a QWR request is attached in Exhibit D. Substitute your specific loan information and send certified mail / return receipt.

I will review any responsive documents and add commentary if/when produced.

6. Two subsequent liens have been recorded after the subject loan and are included in Exhibit A above. If subject loan was to have been paid off with these loans, no reconveyances appear to have been recorded per the attached County Liens Report.

CONCLUSION:

As the current chain of title sits, there are no entities that can be positively identified through the assignments other than the named originating "lender - Washington Mutual Bank." WMB is defunct and the loan did not go through the FDIC and was no acquired by JPMorgan Chase as part of the FDIC's Receivership. Thus, the COT appears fatally defective.

July 25, 2017

/S/ Bill Paatalo

Bill Paatalo

Private Investigator - OR PSID# 49411

BP Investigative Agency, LLC

P.O. Box 838

Absarokee, MT 59001

(406) 328-4075

APPENDIX D

FILED
KING COUNTY, WASHINGTON
MAY 22 2008
SUPERIOR COURT CLERK

IN THE SUPERIOR COURT STATE OF WASHINGTON
FOR THE COUNTY OF KING

In re:

HUY-YING CHEN and YUEH-HUA CHEN,

Debtors.

Cause No. 08-2-13281-1 SEA

JP MORGAN CHASE BANK, AS TRUSTEE
F/K/A THE CHASE MANHATTAN BANK
SUCCESSOR IN INTEREST TO THE CASE
MANHATTAN BANK N.A., its successors in
interest and/or assigns,

Plaintiff,

**NOTICE OF THE FILING OF A
FOREIGN JUDGMENT**

v.

HUY-YING CHEN and YUEH-HUA LEE
CHEN, husband and wife; CHINATRUST
BANK (USA); NEIL GOLDBERGER, an
individual; VN PRODUCTS, INC. A
CALIFORNIA CORPORATION; Occupants of
the Premises; and all persons or parties
unknown claiming any right, title, estate, lien or
interest in the real estate described in the
complaint,

Defendants.

And Related Third Party and Counter Claims.

ROUTH CRABTREE OLSEN, P.S.

A Law Firm and Professional Services Corporation

3535 Factoria Boulevard SE, Suite 200

Bellevue, Washington 98006

Telephone (425) 458-2121

Facsimile (425) 458-2131

NOTICE OF THE FILING OF
A FOREIGN JUDGMENT - 1

ORIGINAL

Defendants Exhibit C

1 TO: HUY-YING CHEN and YUEH-HUA LEE CHEN

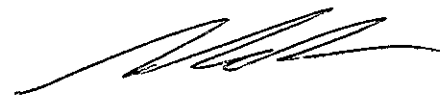
2 You have been named as a judgment debtor in the above-entitled case. Hereby take
3 NOTICE that a foreign judgment against you was registered on April 18, 2008, pursuant to RCW
4 6.36 et seq. A copy of the judgment and the accompanying affidavits that were filed with the
5 Court are attached hereto as Exhibit "A."

6
7 The judgment creditor who filed the judgment against you is JP Morgan Chase Bank, as
8 Trustee at the address of c/o Litton Loan Servicing, 4828 Loop Central Drive, Houston, TX
9 77081-2226. The judgment creditor's attorney is Steven K. Linkon of the law firm of Routh
10 Crabtree Olsen, P.S. at the address of 3535 Factoria Boulevard SE, Suite 200, Bellevue,
11 Washington 98006.

12 Take additional notice that, ten days after the proof of the mailing of this notice has been
13 filed with the clerk of the Court, an execution or other process for enforcement of the judgment
14 may be filed with the Court.
15

16 DATED this 7 day of May, 2008.

17 **ROUTH CRABTREE OLSEN, P.S.**

18
19 By: 
20 Steven K. Linkon, WSBA #34896
21 Attorneys for Plaintiff JP Morgan Chase
22 Bank

PHOTOCOPY

RECEIVED

2008 APR 18 AM 10:12

KING COUNTY
SUPERIOR COURT CLERK
KENT, WA

IN THE SUPERIOR COURT STATE OF WASHINGTON
FOR THE COUNTY OF KING

In re:

HUY-YING CHEN and YUEH-HUA CHEN,
Debtors.

08-2-13281-1 SEA

Cause No.

JP MORGAN CHASE BANK, AS TRUSTEE
F/K/A THE CHASE MANHATTAN BANK
SUCCESSOR IN INTEREST TO THE CASE
MANHATTAN BANK N.A., its successors in
interest and/or assigns,

JUDGMENT SUMMARY AND
AFFIDAVIT OF STEVEN K. LINKON
FOR FILING A FOREIGN
JUDGMENT

Plaintiff,

v.

HUY-YING CHEN and YUEH-HUA LEE
CHEN, husband and wife; CHINATRUST
BANK (USA); NEIL GOLDBERGER, an
individual; VN PRODUCTS, INC. A
CALIFORNIA CORPORATION; Occupants of
the Premises; and all persons or parties
unknown claiming any right, title, estate, lien or
interest in the real estate described in the
complaint,

Defendants.

EXHIBIT A
PAGE 1 OF 8

And Related Third Party and Counter Claims

ROUTH CRABTREE OLSEN, P.S.
A Law Firm and Professional Services Corporation

3535 Factoria Boulevard SE, Suite 200
Bellevue, Washington 98006
Telephone (425) 458-2121
Facsimile (425) 458-2131

JUDGMENT SUMMARY

- 1. JUDGMENT CREDITOR: JP Morgan Chase Bank
- 2. JUDGMENT DEBTORS: Huy-Ying Chen & Yueh-Hua Lee Chen
- 3. PRINCIPAL JUDGMENT AMOUNT: \$647,476.68
- 4. INTEREST TO DATE OF JUDGMENT: \$1,402.17
- 5. COSTS: \$200.00
- 6. TOTAL JUDGMENT: \$649,078.85
- 7. DATE OF ENTRY OF JUDGMENT: November 29, 2007
(Entered in US Bankruptcy Court, Western District of Washington)
- 8. EXPIRATION DATE OF JUDGMENT:
- 9. TOTAL JUDGMENT SHALL BEAR INTEREST AT: 5%
- 10. ATTORNEY FOR JUDGMENT CREDITOR: Steven K. Linkon

AFFIDAVIT OF STEVEN K. LINKON

I, Steven K. Linkon, being first duly sworn say:

- 1. I am one of the attorneys for the Plaintiff in the above-entitled matter. I make this Affidavit in accordance with RCW 6.36.035 for filing a foreign judgment.
- 2. Huy-Ying Chen and Yueh-Hua Lee Chen are the judgment debtors whose last known post office address is 5112 189th Avenue NE, Sammamish, WA 98074.
- 3. JP Morgan Chase Bank, is the judgment creditor whose post office address is c/o Litton Loan Servicing, 4828 Loop Central Drive, Houston, TX 77081-2226.
- 4. A true and correct copy of the Judgment and Decree of Foreclosure from the United States Bankruptcy Court, Western District of Washington from In re: Huy-Ying Chen and

ROUTH CRABTREE OLSEN, P.S.

A Law Firm and Professional Services Corporation

3535 Factoria Boulevard SE, Suite 200

Bellevue, Washington 98006

Telephone (425) 458-2121

Facsimile (425) 458-2131

1 Yueh-Hua Chen, Debtors, JPMorgan Chase Bank, as trustee v. Huy-Ying Chen et al.,
2 Case No. 07-01115-PHB, ("Judgment") and a certificate and seal from the United States
3 Bankruptcy Court are attached hereto as Exhibit "A." The Judgment is authenticated in
4 accordance with 28 USC 1738.

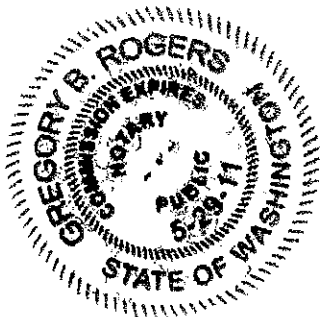
5
6 5. The Judgment was entered in United States Bankruptcy Court, Western District of
7 Washington on November 29, 2007.

8 DATED this 16 day of April, 2008.

9 ROUTH CRABTREE OLSEN, P.S.

10
11 By: [Signature]
12 Steven K. Linkon, WSBA #34896
13 Attorneys for Plaintiff, JPMorgan Chase
14 Bank

15 SUBSCRIBED AND SWORN TO before me this 15th day of April, 2008.



16
17
18 [Signature]
19 NOTARY PUBLIC for Washington
20 Residing at: SKOKOMISH County
21 My commission expires: 5-29-11

22
23
24
25
26 ROUTH CRABTREE OLSEN, P.S.

A Law Firm and Professional Services Corporation

3535 Factoria Boulevard SE, Suite 200

Bellevue, Washington 98006

Telephone (425) 458-2121

Facsimile (425) 458-2131

JUDGMENT SUMMARY AND AFFIDAVIT
OF STEVEN K. LINKON FOR
FILING A FOREIGN JUDGMENT - 3

EXHIBIT A
PAGE 3 OF 8
Defendants Exhibit C

UNITED STATES BANKRUPTCY COURT

Western District of Washington
700 Stewart St, Room 6301
Seattle, WA 98101

In Re: JP Morgan Chase Bank et al v. Chen et al
Debtor(s).

Bankruptcy Proceeding No.: 07-01115-KAO

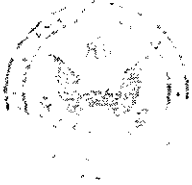
Chapter: 0

EXEMPLIFICATION CERTIFICATE

I, Mark L. Hatcher, Clerk of the Bankruptcy Court for this district and keeper of the records and seal of the court, certify that the documents attached are true copies of

Judgment and Decree of Foreclosure

now remaining among the records of the court. In testimony of this statement, I sign my name, and affix the seal of this court at Seattle, in the State of Washington, this March 24, 2008.



Mark L. Hatcher

Clerk of the Bankruptcy Court

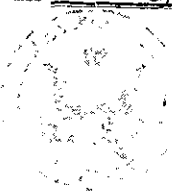
I, Karen A. Overstreet, Bankruptcy Judge for this district, certify that Mark L. Hatcher, is and was at the date of the above certificate Clerk of the Bankruptcy Court for this district, duly appointed and sworn, and keeper of the records and seal of the court, and that the above certificate of the Clerk and the Clerk's attestation are in due form of law.

Date: March 24, 2008

Karen A. Overstreet
Judge

I, Mark L. Hatcher, Clerk of the Bankruptcy Court for this district and keeper of the seal of the court, certify that the Honorable Karen A. Overstreet is and was on the date of the above certificate a Judge of this Court, duly appointed and sworn; and that I am well acquainted with this handwriting and office signature and know and certify the signature written above to be that of the Judge.

In testimony of this statement, I sign my name, and affix the seal of the Court at Seattle, in the State of Washington, this 27th day of MARCH, 2008



Mark L. Hatcher

Clerk of the Bankruptcy Court

Entered Steve D. Klinkov, 20520674896
2 Routh Crabtree Olsen, P.S.
3535 Factoria Blvd SE, Suite 200
3 Bellevue, WA 98006
4 Telephone: (425) 586-1952
Facsimile: (425) 283-5952
5 Email: slinkon@rcflegal.com

The Honorable Philip H. Brandt
Chapter 11
Hearing Location: Seattle
Hearing Date: November 29, 2007
Hearing Time: 9:30 a.m.

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

In re:

HUY-YING CHEN and YUEH-HUA CHEN,
Debtors.

No. 07-11172-PHB

JPMORGAN CHASE BANK, AS TRUSTEE
F/K/A THE CHASE MANHATTAN BANK
SUCCESSOR IN INTEREST TO THE
CHASE MANHATTAN BANK N.A., its
successors in interest and/or assigns,

Adv. No. 07-01115-PHB

~~[Proposed]~~
JUDGMENT AND DECREE OF
FORECLOSURE

Plaintiff,

v.

HUY-YING CHEN and YUEH-HUA LEE
CHEN, husband and wife; CHINATRUST
BANK (U.S.A.); NEIL GOLDBERGER, an
individual; V.N. PRODUCTS, INC, A
CALIFORNIA CORPORATION.; Occupants
of the Premises; and all persons or parties
unknown claiming any right, title, estate, lien
or interest in the real estate described in the
complaint,

Defendants.

And Related Third party and Counter
Claims.

JUDGMENT AND DECREE OF FORECLOSURE
1 of 4

ROUTH CRABTREE OLSEN, P.S.
A Law Firm and Professional Services Corporation
3535 Factoria Boulevard SE, Suite 200
Bellevue, Washington 98006
Telephone (425) 586-1952
Facsimile (425) 283-5952

EXHIBIT A
PAGE 5 OF 8

1 Plaintiff's Motion for Summary Judgment came on regularly for hearing before
2 this court on October 4, 2007. The Court granted Plaintiff's Motion for Summary
3 Judgment by Order entered October 18, 2007. With the issues having been duly heard
4 and a decision having been duly rendered,

5
6 IT IS ORDERED AND ADJUDGED as follows:

7 1. The Defendants Huy-Ying Chen And Yueh-Hua Lee Chen are in default
8 pursuant to the \$525,000 Adjustable Rate Note ("Note") held by Plaintiff, and that
9 under the terms of the Deed of Trust securing repayment of the Note, Plaintiff is
10 entitled to have the real property located at 5112 189th Avenue N.E., Redmond, WA
11 98052 ("Property"), and legally described in exhibit "A" hereto, sold at a foreclosure
12 sale.

13
14 2. The Sheriff of King County shall sell the Property, in the manner
15 provided by law, and the proceeds thereof shall be applied to the payment of the
16 Note held by Plaintiff, including post-judgment interest, and Plaintiff's additional costs
17 and disbursements as recoverable under the Note and Deed of Trust.

18 3. The unpaid balance of the Note, as of November 8, 2007, is:

19
20 Principal Balance: \$487,450.72
21 Interest due: 89,928.22
22 Property taxes and ins. 33,338.06
23 Corporate advances: 2,207.09
24 Total: \$612,924.09

25 The Judgment shall include per diem interest of \$66.77 each day after
26 November 8, 2007. After entry of judgment, the total judgment shall accrue interest
at the rate of 5.00% per annum until paid in full, pursuant to the terms of the
Adjustable Rate Note.

JUDGMENT AND DECREE OF FORECLOSURE
2 of 4

ROUTH CRABTREE OLSEN, P.S.
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Facsimile (425) 283-5952

EXHIBIT A
PAGE 6 OF 8

1 4. Plaintiff shall also be entitled to add its attorney fees in the amount of
2 \$32,598.50 and costs in the amount of \$1,954.09, to its debt, and further reasonable
3 attorney fees and costs incurred after November 8, 2007.

4 For a total judgment of \$647,476⁶⁸, together with post judgment
5 interest thereon at the rate of 5% per annum. /B

6
7 5. Plaintiff shall not be entitled to a deficiency judgment against the
8 Defendants.

9 6. Plaintiff's Deed of Trust is a valid lien on the Property, senior to all
10 right, title, claim or interest of the defendants, or any of them, and of all persons
11 claiming by, through or under them, and such liens shall be forever foreclosed
12 except for any statutory right of redemption, if any allowed by law and that all
13 persons acquiring any right, title, estate, lien or interest in and to the Property or any
14 part thereof subsequent to the date of Plaintiff's Deed of Trust which is foreclosed
15 herein be and they are hereby forever foreclosed of any right, title, estate, lien or
16 interest in the Property as against Plaintiff in this action.

17
18 7. That the Plaintiff is granted the right to become a bidder and purchaser
19 at the sale and once the redemption rights, as provided for in RCW 6.23.010 et seq.,
20 are precluded, the purchaser is entitled to possession of the Property in accordance
21 with applicable law.

22
23 8. That the sale of the Property is subject to an eight month redemption
24 period pursuant to RCW 6.23.020.

25
26
JUDGMENT AND DECREE OF FORECLOSURE
3 of 4

ROUTH CRABTREE OLSEN, P.S.
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Facsimile (425) 283-5952

EXHIBIT A
PAGE 7 OF 8

EXHIBIT A

THE LAND REFERRED TO IN THIS GUARANTEE IS SITUATED IN THE STATE OF WASHINGTON, COUNTY OF KING, UNINCORPORATED AREA, AND IS DESCRIBED AS FOLLOWS:

LOT 17, DOBB'S MILL, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 164 OF PLATS, PAGE(S) 26 THROUGH 30, IN KING COUNTY, WASHINGTON.

EXHIBIT A
PAGE 1 OF 1

EXHIBIT A
PAGE 8 OF 8
Defendants Exhibit C

EXHIBIT A
PAGE 6 OF 6

APPENDIX E

Superior Court Case # 08- 333385-2 SEA

Appellate Court Case # 76624-4-1

COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION ONE

HUY YING CHEN and YUEH HUA CHEN, Husband and Wife,
Appellant,

v.

JP Morgan Chase Bank, AS TRUSTEE F/K/A THE CHASE
MANHATTAN BANK SUCCESSOR IN INTEREST TO THE CHASE
MANHATTAN BANK N.A.;

Respondent

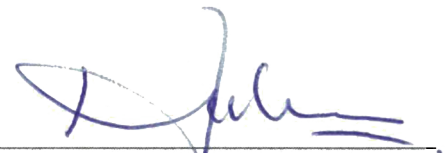
**CHEN, HUY-YING, AS APPELLANT'S DECLARATION FOR
MOTION FOR RECONSIDERATION**

PRO SE for Appellant
CHEN HUY YING
5112 189th Ave N.E
Sammamish, WA 98074
Phone:(206)7798880
Email: hy@nobo.us

HUY YING CHEN declares as follows:

1. I am Appellant over the age of eighteen; I am competent to make this declaration based on my personal knowledge.
2. On date of August 1,2017, I hired BP investigative Agency for Chain of Title and Securitization Analysis. This expert report said “JP MORGAN CHASE BANK, AS TRUSTEE F/K/A THE CHASE MANHATTAN BANK SUCCESSOR IN INTEREST TO THE CHASE MANHATTAN BANK N.A” and THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A. FKA THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO JPMORGAN CHASE BANK, N.A. AS TRUSTEE FOR RESIDENTIAL ASSET MORTGAGE PRODUCTS, INC., MORTGAGE ASSET-BACKED PASS-THROUGH CERTIFICATES SERIES 2005-RP3 never been a legal existing in anyplace at Unite State, this was a ruse. The Expert is willing take testimony for his investigation report.
3. On date of October 19, 2017, the original summary judgment docketed in Bankruptcy Court which issued at October 18,2007 and entered at November 29, 2007 have been expired for 10 years with no any judgment creditor renew.
4. On date June 03,2008, CHEN HUY YING file an objection for foreign judgment case no. 08-2-13281-1 SEA.

I declare under penalty of perjury under the Laws of the State of Washington that the foregoing is true and correct.



CHEN HUY YING
By: **HUY YING CHEN**
Dated: October 27,2018
At: Sammamish, Washington

APPENDIX F

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JUDGMENT SUMMARY

1. JUDGMENT CREDITOR: JP Morgan Chase Bank
2. JUDGMENT DEBTORS: Huy-Ying Chen & Yueh-Hua Lee Chen
3. PRINCIPAL JUDGMENT AMOUNT: \$647,476.68
4. INTEREST TO DATE OF JUDGMENT: \$1,402.17
5. COSTS: \$200.00
6. TOTAL JUDGMENT: \$649,078.85
7. DATE OF ENTRY OF JUDGMENT: November 29, 2007
(Entered in US Bankruptcy Court, Western District of Washington)
8. EXPIRATION DATE OF JUDGMENT:
9. TOTAL JUDGMENT SHALL BEAR INTEREST AT: 5%
10. ATTORNEY FOR JUDGMENT CREDITOR: Steven K. Linkon

AFFIDAVIT OF STEVEN K. LINKON

I, Steven K. Linkon, being first duly sworn say:

1. I am one of the attorneys for the Plaintiff in the above-entitled matter. I make this Affidavit in accordance with RCW 6.36.035 for filing a foreign judgment.
2. Huy-Ying Chen and Yueh-Hua Lee Chen are the judgment debtors whose last known post office address is 5112 189th Avenue NE, Sammamish, WA 98074.
3. JP Morgan Chase Bank, is the judgment creditor whose post office address is c/o Litton Loan Servicing, 4828 Loop Central Drive, Houston, TX 77081-2226.
4. A true and correct copy of the Judgment and Decree of Foreclosure from the United States Bankruptcy Court, Western District of Washington from In re: Huy-Ying Chen and

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Yueh-Hua Chen, Debtors, JPMorgan Chase Bank, as trustee v. Hui-Ying Chen et al.
Case No. 07-01115-PHB, ("Judgment") and a certificate and seal from the United States
Bankruptcy Court are attached hereto as Exhibit "A." The Judgment is authenticated in
accordance with 28 USC 1738.

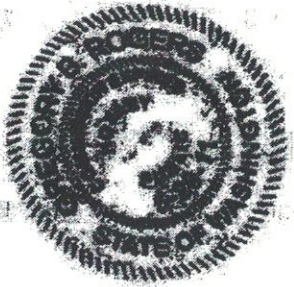
5. The Judgment was entered in United States Bankruptcy Court, Western District of
Washington on November 29, 2007.

DATED this 16 day of April, 2008.

ROUTH CRABTREE OLSEN, P.S.

By: [Signature]
Steven K. Linkon, WSBA #34896
Attorneys for Plaintiff, JPMorgan Chase
Bank

SUBSCRIBED AND SWORN TO before me this 15th day of April, 2008.



[Signature]
NOTARY PUBLIC for Washington
Residing at: Indochina Court
My commission expires: 5-24-11

APPENDIX G

Chase Trustee Counsel affidavit for
Bankruptcy Court entered date at
November 29,2007

FILED
08 APR 18 AM 10:17
KING COUNTY
SUPERIOR COURT CLERK
KENT, WA

IN THE SUPERIOR COURT STATE OF WASHINGTON
FOR THE COUNTY OF KING

In re:

HUY-YING CHEN and YUEH-HUA CHEN,
Debtors.

08-2-13281-1 SEA
Cause No.

JP MORGAN CHASE BANK, AS TRUSTEE
F/K/A THE CHASE MANHATTAN BANK
SUCCESSOR IN INTEREST TO THE CASE
MANHATTAN BANK N.A., its successors in
interest and/or assigns,

JUDGMENT SUMMARY AND
AFFIDAVIT OF STEVEN K. LINKON
FOR FILING A FOREIGN
JUDGMENT

Plaintiff,

v.

HUY-YING CHEN and YUEH-HUA LEE
CHEN, husband and wife; CHINATRUST
BANK (USA); NEIL GOLDBERGER, an
individual; VN PRODUCTS, INC. A
CALIFORNIA CORPORATION; Occupants of
the Premises; and all persons or parties
unknown claiming any right, title, estate, lien or
interest in the real estate described in the
complaint,

Defendants.

And Related Third Party and Counter Claims

JUDGMENT SUMMARY AND AFFIDAVIT
OF STEVEN K. LINKON FOR
FILING A FOREIGN JUDGMENT - 1

ROUTH CRABTREE OLSEN, P.S.
A Law Firm and Professional Services Corporation
3535 Factoria Boulevard SE, Suite 200
Bellevue, Washington 98006
Telephone (425) 458-2121
Facsimile (425) 458-2131

1 **JUDGMENT SUMMARY**

- 2 1. JUDGMENT CREDITOR: JP Morgan Chase Bank
- 3 2. JUDGMENT DEBTORS: Huy-Ying Chen & Yueh-Hua
- 4 Lee Chen
- 5 3. PRINCIPAL JUDGMENT AMOUNT: \$647,476.68
- 6 4. INTEREST TO DATE OF JUDGMENT: \$1,402.17
- 7 5. COSTS: \$200.00
- 8 6. TOTAL JUDGMENT: \$649,078.85
- 9 7. DATE OF ENTRY OF JUDGMENT: November 29, 2007
- 10 (Entered in US Bankruptcy Court, Western District of Washington)
- 11 8. EXPIRATION DATE OF JUDGMENT:
- 12 9. TOTAL JUDGMENT SHALL BEAR INTEREST AT: 5%
- 13 10. ATTORNEY FOR JUDGMENT CREDITOR: Steven K. Linkon

14 **AFFIDAVIT OF STEVEN K. LINKON**

15 I, Steven K. Linkon, being first duly sworn say:

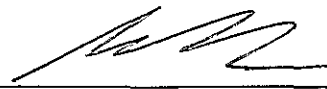
- 16 1. I am one of the attorneys for the Plaintiff in the above-entitled matter. I make this
- 17 Affidavit in accordance with RCW 6.36.035 for filing a foreign judgment.
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- 23 Bankruptcy Court, Western District of Washington from In re: Huy-Ying Chen and
- 24
- 25
- 26

1 Yueh-Hua Chen, Debtors, JPMorgan Chase Bank, as trustee v. Huy-Ying Chen et al.,
2 Case No. 07-01115-PHB, ("Judgment") and a certificate and seal from the United States
3 Bankruptcy Court are attached hereto as Exhibit "A." The Judgment is authenticated in
4 accordance with 28 USC 1738.

5
6 5. The Judgment was entered in United States Bankruptcy Court, Western District of
7 Washington on November 29, 2007.

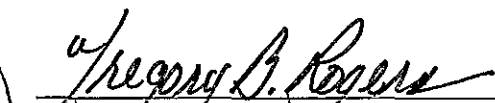
8 DATED this 16 day of April, 2008.

9 **ROUTH CRABTREE OLSEN, P.S.**

10
11 By: 
12 Steven K. Linkon, WSBA #34896
13 Attorneys for Plaintiff, JPMorgan Chase
14 Bank

15 SUBSCRIBED AND SWORN TO before me this 15th day of April, 2008.




NOTARY PUBLIC for Washington
Residing at: Snohomish County
My commission expires: 5-29-11

APPENDIX I

Form exemp (01/2006)

UNITED STATES BANKRUPTCY COURT

Western District of Washington
700 Stewart St, Room 6301
Seattle, WA 98101

08-2-13281-1 SEA

In Re: JP Morgan Chase Bank et al v. Chen et al

Bankruptcy Proceeding No.: 07-01115-KAG

Debtor(s).

Chapter: 0

FILED
08 APR 18 AM 10:17
KING COUNTY
SUPERIOR COURT
CLERK

EXEMPLIFICATION CERTIFICATE

I, Mark L. Hatcher, Clerk of the Bankruptcy Court for this district and keeper of the records and seal of the court, certify that the documents attached are true copies of

Judgment and Decree of Foreclosure

now remaining among the records of the court. In testimony of this statement, I sign my name, and affix the seal of this court at Seattle, in the State of Washington, , this March 24, 2008.

Overstreet



BEST IMAGE POSSIBLE

Mark L. Hatcher

Clerk of the Bankruptcy Court

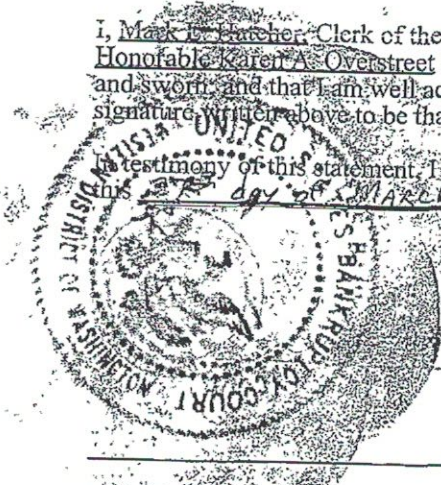
I, Karen A. Overstreet, Bankruptcy Judge for this district, certify that Mark L. Hatcher is and was at the date of the above certificate Clerk of the Bankruptcy Court for this district, duly appointed and sworn, and keeper of the records and seal of the court, and that the above certificate of the Clerk and the Clerk's attestation are in due form of law.

Date: March 24, 2008

Karen A. Overstreet idge

I, Mark L. Hatcher, Clerk of the Bankruptcy Court for this district and keeper of the seal of the court, certify that the Honorable Karen A. Overstreet is and was on the date of the above certificate a Judge of this Court, duly appointed and sworn, and that I am well acquainted with this handwriting and office signature and know and certify the signature written above to be that of the Judge.

In testimony of this statement, I sign my name, and affix the seal of the Court at Seattle, in the State of Washington, this 27th day of March, 2008.



Mark L. Hatcher

Clerk of the Bankruptcy Court

EXHIBIT A
PAGE 1 OF 10

Entered Steve C. Slinkon, WSEA # 24896
2 Routh Crabtree Olsen, P.S.
3 3535 Factoria Blvd SE, Suite 200
4 Bellevue, WA 98006
5 Telephone: (425) 586-1952
6 Facsimile: (425) 283-5952
7 Email: slinkon@rcflegal.com

The Honorable Philip H. Brandt
Chapter 11
Hearing Location: Seattle
Hearing Date: November 29, 2007
Hearing Time: 9:30 a.m.

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

In re:

HUY-YING CHEN and YUEH-HUA CHEN,
Debtors.

No. 07-11172-PHB

JPMORGAN CHASE BANK, AS TRUSTEE
F/K/A THE CHASE MANHATTAN BANK
SUCCESSOR IN INTEREST TO THE
CHASE MANHATTAN BANK N.A., its
successors in interest and/or assigns,

Adv. No. 07-01115-PHB

~~Proposed~~
JUDGMENT AND DECREE OF
FORECLOSURE

Plaintiff,

v.

HUY-YING CHEN and YUEH-HUA LEE
CHEN, husband and wife; CHINATRUST
BANK (U.S.A.); NEIL GOLDBERGER, an
individual; V.N. PRODUCTS, INC, A
CALIFORNIA CORPORATION.; Occupants
of the Premises; and all persons or parties
unknown claiming any right, title, estate, lien
or interest in the real estate described in the
complaint,

Defendants.

And Related Third party and Counter
Claims.

JUDGMENT AND DECREE OF FORECLOSURE
1 of 4

ROUTH CRABTREE OLSEN, P.S.
A Law Firm and Professional Services Corporation
3535 Factoria Boulevard SE, Suite 200
Bellevue, Washington 98006
Telephone (425) 586-1952
Facsimile (425) 283-5952

EXHIBIT A
PAGE 2 OF 10

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3 Judgment by Order entered October 18, 2007. With the issues having been duly heard
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8 pursuant to the \$525,000 Adjustable Rate Note ("Note") held by Plaintiff, and that
9 under the terms of the Deed of Trust securing repayment of the Note, Plaintiff is
10 entitled to have the real property located at 5112 189th Avenue N.E., Redmond, WA
11 98052 ("Property"), and legally described in exhibit "A" hereto, sold at a foreclosure
12 sale.

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14 2. The Sheriff of King County shall sell the Property, in the manner
15 provided by law, and the proceeds thereof shall be applied to the payment of the
16 Note held by Plaintiff, including post-judgment interest, and Plaintiff's additional costs
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18 3. The unpaid balance of the Note, as of November 8, 2007, is:

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20 Principal Balance: \$487,450.72
21 Interest due: 89,928.22
22 Property taxes and ins. 33,338.06
23 Corporate advances: 2,207.09
24 Total: \$612,924.09

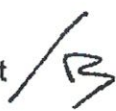
25 The Judgment shall include per diem interest of \$66.77 each day after
26 November 8, 2007. After entry of judgment, the total judgment shall accrue interest
at the rate of 5.00% per annum until paid in full, pursuant to the terms of the
Adjustable Rate Note.

JUDGMENT AND DECREE OF FORECLOSURE
2 of 4

ROUTH CRABTREE OLSEN, P.S.
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Facsimile (425) 283-5952

EXHIBIT A
PAGE 3 OF 6

1 4. Plaintiff shall also be entitled to add its attorney fees in the amount of
2 \$32,598.50 and costs in the amount of \$1,954.09, to its debt, and further reasonable
3 attorney fees and costs incurred after November 8, 2007.

4 For a total judgment of \$647,476⁶⁸, together with post judgment 
5 interest thereon at the rate of 5% per annum.

6 5. Plaintiff shall not be entitled to a deficiency judgment against the
7 Defendants.

8 6. Plaintiff's Deed of Trust is a valid lien on the Property, senior to all
9 right, title, claim or interest of the defendants, or any of them, and of all persons
10 claiming by, through or under them, and such liens shall be forever foreclosed
11 except for any statutory right of redemption, if any allowed by law and that all
12 persons acquiring any right, title, estate, lien or interest in and to the Property or any
13 part thereof subsequent to the date of Plaintiff's Deed of Trust which is foreclosed
14 herein be and they are hereby forever foreclosed of any right, title, estate, lien or
15 interest in the Property as against Plaintiff in this action.

16 7. That the Plaintiff is granted the right to become a bidder and purchaser
17 at the sale and once the redemption rights, as provided for in RCW 6.23.010 et seq.,
18 are precluded, the purchaser is entitled to possession of the Property in accordance
19 with applicable law.

20 8. That the sale of the Property is subject to an eight month redemption
21 period pursuant to RCW 6.23.020.

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JUDGMENT AND DECREE OF FORECLOSURE
3 of 4

ROUTH CRABTREE OLSEN, P.S.
A Law Firm and Professional Services Corporation
3535 Factoria Boulevard SE, Suite 200
Bellevue, Washington 98006
Telephone (425) 586-1952
Facsimile (425) 283-5952

EXHIBIT A
PAGE 4 OF 6

Chinatrust Bank

9. Chinatrust Bank (U.S.A.), is awarded judgment against Defendants

Huy-Ying Chen and Yueh-Hua Lee Chen, husband and wife, reasonable attorney

fees in the amount of \$25,149.50 and costs of \$1,599.67, which shall bear interest at the rate of 9% per annum /B

10. Chinatrust Bank shall have the first priority claim to, and shall be paid

the surplus proceeds, if any, from a judicial sale of the Property, up to the amount

owed for its total judgment herein, and for the judgment to be entered in Chinatrust

Bank v. Chen, et al., Adversary No. A07-1116. Any other surplus proceeds from the

sale shall be paid to other lienholders against the Property in order of their priority.

The court reserves jurisdiction to determine the priority of the respective junior liens

and their entitlement to the surplus proceeds, if any, in the event a dispute arises.

DATED this 29 day of November, 2007.

PHB - ch
Philip H. Brandt, Bankruptcy Judge

Presented by:

ROUTH CRABTREE OLSEN, P.S.

By Is/ Steven K. Linkon
Steven K. Linkon, WSBA #34896
Attorneys for Plaintiff JPMorgan
Chase Bank, as Trustee

LARSON HART & SHEPPARD PLLC

By: Is/ Kenneth W. Hart
Kenneth W. Hart, WSBA #15511
Attorneys for Defendant Chinatrust Bank (U.S.A.)

THIS IS TO CERTIFY that the foregoing is a true and correct copy of an instrument, filed in our office.

Dated this 28th day of March

By *[Signature]*
A Designated Employee

ROUTH CRABTREE OLSEN, P.S.
A Law Firm and Professional Services Corporation

3535 Factoria Boulevard SE, Suite 200
Bellevue, Washington 98006
Telephone (425) 586-1952
Facsimile (425) 283-5952

JUDGMENT AND DECREE OF FORECLOSURE
4 of 4

EXHIBIT A
PAGE 5 OF 10

EXHIBIT A

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LOT 17, DOBB'S MILL, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 164 OF PLATS, PAGE(S) 26 THROUGH 30, IN KING COUNTY, WASHINGTON.

EXHIBIT A
PAGE 1 OF 1

EXHIBIT A
PAGE 6 OF 6

APPENDIX J

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IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In Re:
CHEN HUY YING & CHEN YUEH HUA

)
)
) Bankruptcy No. 07-11172-PHB
)
) Adversary No. A07-1115

Debtors / Appellants,

JP Morgan Chase Bank, AS TRUSTEE
F/K/A THE CHASE MANHATTAN BANK
SUCCESSOR IN INTEREST TO THE
CHASE MANHATTAN BANK N.A., its
successors in interest and /or assigns,

)
) Contested matter: 1. Contest the final
) judgment and decree of foreclosure and
) order from summary judgment of above
) said adversary proceeding.2. Contest the
) Chinatrust bank's second position of
) foreclosure

Plaintiff / Appellee,

vs.

HUY YING CHEN and YUEH-HUA CHEN,
husband and wife; CHINATRUST
BANK(U.S.A), a foreign corporation; NEIL
GOLDBERGER, AN INDIVIDUAL;
V.N.PRODUCTS,INC., a California corporation;
Occupants of the Premises; and all persons or
parties unknown claiming any right, title, estate,
lien, or interest in the real estate described in
the complaint,
Chen

NOTICE OF APPEAL

Defendants/Appellee/ Appellants.

NOTICE OF APPEAL - 1

Huy Ying Chen
5112 189th Ave. NE
Redmond, WA 98074
Tel: (206) 779-8880 EFAx:(206) 888-6889
Email : hy@nobo@.us

EXHIBIT A
PAGE 2 OF 4

Defendants Exhibit D - 7

1 CHEN HUY YING & CHEN YUEH HUA ("APPELLANT"), the Defendants in the
2 above Captioned Chapter 11 proceedings and related Contested matter, by and through its
3 Pro Se, appeals under 28 U.S.C. §158 (a) and (b) from the final judgment and decree of
4 foreclosure enter by Honorable Judge Philip H. Brandt in this Contested Matter on the 29th day
5 of November 2007 and a separate order of grant the motion of Plaintiff's summary judgment
6 and Cross motion of Chinatrust bank to which entered on the 18th day of October of 2007.
7

8 The parties to the orders appealed from and the name of this respective attorneys area
9 follows:

10
11 Appellants: CHEN HUY YING & CHEN YUEH HUA acts as Pro Se
12 5112 189th Ave N.E. Sammamish, WA 98074
13 Phone: 206-779-8880

14 Appellee : JP Morgan Chase Bank, AS TRUSTEE
15 F/K/A THE CHASE MANHATTAN BANK
16 SUCCESSOR IN INTEREST TO THE CHASE MANHATTAN BANK N.A.,
17 its successors in interest and /or assigns,

18 Appellee Counsel: Mr. Steve Linkon of Routh Crabtree Olsen, P.S.
19 3535 Factorial Blvd SE, Suite 200, Bellevue, WA 98006
20 Phone: 425-458-2121

21
22 Appellee : CHINATRUST BANK(U.S.A.), a California state Chartered Bank, Thomas
23 Lin and Jane Doe Lin

24 Appellee's Counsel: Larson Hart & Shepherd
25 600 University Street, Suite 1730, Seattle, WA98101
26 Phone # 206-340-2008

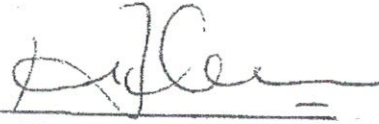
27
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29 NOTICE OF APPEAL - 2

EXHIBIT **A**
PAGE **3** OF **4**

Huy Ying Chen
5112 189th Ave. NE
Redmond, WA 98074
Tel: (206) 779-8880 EFAx:(206) 888-6889
Email : hy@nobo@.us

Defendants Exhibit D - 8

DATED this 7th day of December 2007.



Huy Ying Chen as Appellant

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NOTICE OF APPEAL - 3

EXHIBIT **A**
PAGE **4** OF **4**

Huy Ying Chen
5112 189th Ave. NE
Redmond, WA 98074
Tel: (206) 779-8880 E/Fax: (206) 888-6889
Email : hy@nobo@.us

Defendants Exhibit D - 9

APPENDIX K

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON

Philip H. Brandt
U.S. Bankruptcy Judge

United States Courthouse
700 Stewart Street
Suite 8135
Seattle, Washington 98101-1271
206 370 5320
www.wawb.uscourts.gov

15 July 2008

Hon. John C. Coughenour
U.S. District Judge
700 Stewart St.
Seattle, WA 98101

Re: Chen vs. ROI Commercial Real Estate, et al.
U.S. District Court No. C08-00370-JCC

Dear Judge Coughenour:

The Chens and appellee Chinatrust have reached a tentative settlement, which is on my 17 July 2008 calendar.

As settlements by bankruptcy debtors require court approval, FRBP 9019, I request you remand this appeal through 1 August 2008 to permit my consideration of the potential settlement and entry of an appropriate order. My apologies for the timing - I had not recalled that Chinatrust was a party to this appeal as well as the loosely related one before Judge Martinez in C07-1972-RSM.

Additionally, this is one of three appeals of partial summary judgment orders I entered on motions heard together in adversary no. 07-1265: the others are C08-00379-RSM and C08-00380-JLR. It might promote judicial efficiency of the three (of, if the settlement is approved, the remaining two) appeals were consolidated.

Trial respecting the remaining defendants is set for 18 August 2008.

Thank you for your consideration.

Very truly yours,



Philip H. Brandt
U.S. Bankruptcy Judge

Hon. John C. Coughenour
(C08-00370-JCC
15 July 2008
Page 2 of 2

cc: Hon. Ricardo Martinez (re C07-1972-RSM)
Bruce Rifkin, Clerk
Mark Hatcher, Bankruptcy Court Clerk
[docket in 07-11172 and 07-1265]
Huy-Ying Chen
Yueh-Hua Chen
Robert J. Curran
Timothy W. Dore
Kenneth W. Hart
William A. Linton
Jerome Shulkin
Shulkin Hutton, Inc., PS

CERTIFICATE OF SERVICE:
I CERTIFY I SERVED COPIES OF
THE FOREGOING (VIA US MAIL,
FACSIMILE, OR ELECTRONICALLY) ON:

Huy-Ying Chen
5112 189th Ave. NE
Redmond, WA 98074

Yueh-Hua Chen
5112 189th Ave NE
Redmond, WA 98074

Kenneth W. Hart
Email: kwhart@l-h-s.com
(Chinatrust Bank, USA)

William A. Linton
Email: wlinton@insleebest.com
(Garneau)

Robert J. Curran
Email: curran@ryanlaw.com
(HSBC Bank USA National Association)

Timothy W. Dore
Email: dore@ryanlaw.com
(HSBC Bank USA National Association)

Shulkin Hutton, Inc., PS
Attn: Jerome Shulkin
7525 SE 24th St #330
Mercer Island, WA 98040

Jerome Shulkin
7525 SE 24th St #330
Mercer Island, WA 98040

DATE: 15 July 2008

BY: /s/Suzan Gallup

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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9
10 HUY-YING CHEN, and YUEH-HUA CHEN,

11 Appellants,

12 v.

13 CHICAGO TITLE FINANCIAL COMPANY,
14 *et al.*,

15 Appellees.

CASE NO. C07-1972RSM

ORDER REMANDING CASE TO
BANKRUPTCY COURT

16 Federal Rule of Bankruptcy Procedure (“FRBP”) 9019(a) provides that “[o]n motion
17 by the trustee and after notice and a hearing, the court may approve a compromise or
18 settlement. Notice shall be given to creditors, the United States trustee, the debtor, and
19 indeture trustees as provided in Rule 2002 and to any other entity as the court may direct.”
20 *Id.* Furthermore, interested parties are entitled to twenty-days notice of the settlement
21 approval hearings. *See* FRBP 2002(a)(3). Here, Appellants have indicated that they have
22 reached a settlement with two interested parties. Accordingly, it is hereby ORDERED that
23 these bankruptcy appeals are remanded to the Honorable Philip H. Brandt, United States
24 Bankruptcy Judge, to allow the bankruptcy court to rule on any compromise or settlement
25 motion. The remand will remain in effect until July 1, 2008.

26 The Clerk is directed to forward a copy of this Order to Judge Brandt, to all counsel of
27 record, and to Huy-Ying Chen and Yueh-Hua Chen at the following address: 5112 189th Ave.
28

1 NE, Redmond, WA 98074.

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DATED this 11th day of April, 2008.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE

APPENDIX L

1
2
3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
5 AT SEATTLE

6 In Re HUY-YING CHEN and YUEH-HUA
7 CHEN,

8 Debtors.

Case No. C07-1972RSM
C07-1973RSM
C07-1974RSM

9 CHICAGO TITLE INSURANCE COMPANY,

10 Plaintiff,

MINUTE ORDER OF
CONSOLIDATION

11 v.

12 HUY-YING CHEN and YUEH-HUA CHEN,

13 Defendants.

14 JP MORGAN CHASE BANK, WASHINGTON
15 MUTUAL and LITTON LOAN SERVICES,

16 Plaintiffs,

17 v.

18 HUY-YING CHEN, YUEH-HUA CHEN and
19 CHINATRUST BANK USA,

20 Defendants.

21 CHINATRUST BANK USA,

22 Plaintiff,

23 v.

24 HUY-YING CHEN, YUEH-HUA CHEN,
25 SAFETY-TOUCH and JAVITHON, INC.,

26 Defendants.

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The following Minute Order is made by direction of the Court, the Honorable Ricardo S. Martinez, United States District Judge:

These actions have been reassigned to Judge Ricardo S. Martinez and consolidated under cause number C07-1972RSM. All future documents filed in these cases must bear the cause number C07-1972RSM and bear the Judge's name in the upper right hand corner of the document. The name of the Judge to whom these cases were originally assigned should not appear on any future documents filed with the Court. Please make the necessary corrections to your records reflecting these changes.

DATED this 27th day of December, 2007.

BRUCE RIFKIN, Clerk

By /s/ Lowell Williams
Deputy Clerk

SUPREME COURT NO.

STATE OF WASHINGTON
SUPREME COURT
COA No. 76624-4-1

HUY YING CHEN and YUEH HUA CHEN, Husband and Wife,
Appellant,

v.

JP Morgan Chase Bank, AS TRUSTEE F/K/A THE CHASE
MANHATTAN BANK SUCCESSOR IN INTEREST TO
THE CHASE MANHATTAN BANK N.A.;

Respondent

NOTICE FOR MOTION FOR DISCRETIONARY REVIEW

TO: JPMORGAN CHASE BANK JP MORGAN, AS TRUSTEE F/K/A THE CHASE
MANHATTAN BANK SUCCESSOR IN INTEREST TO THE CHASE MANHATTAN BANK
N.A.; and THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A. AS
TRUSTEE F/F/A THE CHASE MANHATTAN BANK SUCCESSOR IN INTEREST TO
THE CHASE MANHATTAN BANK N.A.” and JOSHUA COLE, THEIR ATTORNEY
OF RECORD

Petitioners CHEN HUY-YING (“Chen”), an individual of Washington Resident, will bring on a motion for discretionary review with the Supreme Court with Court Case # Not yet assigned. The Supreme Court address and place of the hearing is: 415 12th Avenue SW, Olympia, WA 98504-0929.

Petitioner pursuant to RAP 13.4 and RAP13.5 file this motion to the Supreme Court for Discretion review, the JP Morgan Chase Bank, AS TRUSTEE F/K/A THE CHASE MANHATTAN BANK SUCCESSOR IN INTEREST TO THE CHASE MANHATTAN BANK N.A as Respondent as an unknown and non-existent entities without their property that Notice through attorney of record.

Date:



PRO SE for Appellant
CHEN HUY YING
5112 189th Ave N.E
Sammamish, WA 98074
Phone: (206) 779-8880
Email: hy@nobo.us

CERTIFICATION OF THIRD-PARTY COMMERCIAL DELIVERY

I certify that on date of Dec 06, 2018 dropped off to US post office at first class mail, this petition for Discretion review and appendix was delivered to a third-party commercial carrier for delivery to the Clerk of the Court of Appeals within 3 calendar days. I further certify that the Discretion review and appendix are correctly addressed.

For Supreme Court address as: 415 12th Avenue SW, Olympia, WA 98504-0929

For Court of Appeals address as: One Union Square, 600 University St., Seattle, WA 98101-1176.

For Respondent Attorney of Record – Perkins Coie LLP address: 1201 third Avenue, Suite 4900, Seattle, WA 98101-3099.

Date: 12/06/2018

Signature

A handwritten signature in cursive script, appearing to read "Andrea Chen", written over a horizontal line.

ANDREA CHEN

APPENDIX M

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON

Philip H. Brandt
U.S. Bankruptcy Judge

United States Courthouse
700 Stewart Street
Suite 8135
Seattle, Washington 98101-1271
206 370 5320
www.wawb.uscourts.gov

15 July 2008

Hon. John C. Coughenour
U.S. District Judge
700 Stewart St.
Seattle, WA 98101

Re: Chen vs. ROI Commercial Real Estate, et al.
U.S. District Court No. C08-00370-JCC

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Additionally, this is one of three appeals of partial summary judgment orders I entered on motions heard together in adversary no. 07-1265: the others are C08-00379-RSM and C08-00380-JLR. It might promote judicial efficiency of the three (of, if the settlement is approved, the remaining two) appeals were consolidated.

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Thank you for your consideration.

Very truly yours,



Philip H. Brandt
U.S. Bankruptcy Judge

Hon. John C. Coughenour
(C08-00370-JCC
15 July 2008
Page 2 of 2

cc: Hon. Ricardo Martinez (re C07-1972-RSM)
Bruce Rifkin, Clerk
Mark Hatcher, Bankruptcy Court Clerk
[docket in 07-11172 and 07-1265]
Huy-Ying Chen
Yueh-Hua Chen
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Timothy W. Dore
Kenneth W. Hart
William A. Linton
Jerome Shulkin
Shulkin Hutton, Inc., PS

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I CERTIFY I SERVED COPIES OF
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Huy-Ying Chen
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Redmond, WA 98074

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Kenneth W. Hart
Email: kwhart@l-h-s.com
(Chinatrust Bank, USA)

William A. Linton
Email: wlinton@insleebest.com
(Garneau)

Robert J. Curran
Email: curran@ryanlaw.com
(HSBC Bank USA National Association)

Timothy W. Dore
Email: dore@ryanlaw.com
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Mercer Island, WA 98040

Jerome Shulkin
7525 SE 24th St #330
Mercer Island, WA 98040

DATE: 15 July 2008

BY: /s/Suzan Gallup

ANDREA CHEN - FILING PRO SE

December 13, 2018 - 6:33 PM

Filing Motion for Discretionary Review of Court of Appeals

Transmittal Information

Filed with Court: Supreme Court
Appellate Court Case Number: Case Initiation
Appellate Court Case Title: Huy Ying Chen, Appellant v. JP Morgan Chase Bank, Respondent (766244)

The following documents have been uploaded:

- DCA_Other_20181213183008SC418479_7385.pdf
This File Contains:
Other - Updated version with pages numbers
The Original File Name was 12-06-2018 Supreme Court petition update version with pages.pdf

A copy of the uploaded files will be sent to:

- CWeston@perkinscoie.com
- cscowcroft@perkinscoie.com
- hy@nobo.us
- jschaer@perkinscoie.com
- kstephan@rcolegal.com

Comments:

Updated version for supreme court case number 96608-7

Sender Name: Andrea Chen - Email: andrea@nobo.us
Address:
5112 189th Avenue NE
Sammamish, WA, 98074
Phone: (206) 973-3919

Note: The Filing Id is 20181213183008SC418479