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No. 74566-2-I

COURT OF APPEALS, DIVISION I
OF THE STATE OF WASHINGTON

INGLEWOOD HOLDINGS, LLC, et al.,

Appellants,

v.

JONES ENGINEERS, INC., PS, et al.,

Respondents.

REPLY BRIEF OF APPELLANTS

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COURT OF APPEALS
STATE OF WASHINGTON

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I. REPLY ARGUMENT

Amazingly, in Respondents Jones' (Jones) responsive brief they use several pages of the brief to continue to assert, argue, suggest and imply that they have a valid claim subject to collection from Appellants (Inglewood Holdings, LLC, et al.), "Stebner Entities", and any other entity they identify as being currently or previously owned or controlled by Derek Stebner (Stebner). They continue to maintain this claim in spite of the fact that they have never done any business with these entities, never previously identified these entities prior to or during litigation on the claimed debt, never served or sued these entities, and never obtained a judgment against these entities.

It is undisputed that Jones filed the subject judgment and a coversheet to judgment with the Whatcom County Auditor wrongfully and deceptively listing Inglewood Holdings, LLC, et al., as "Grantors" and judgment debtors of the judgment lien, and listing fifty properties believed to be owned by those companies as being subject to the lien.

It cannot be stated with a straight face that the purpose of doing this was not part of an attempt to collect the unpaid debt from Inglewood

Holdings, LLC, et al., by unlawfully encumbering the subject properties against which the judgment lien was filed, but against which Jones had no valid claim.

And it is not understood how that does not constitute a clear cut case of slander of title by maliciously clouding the title to property against which the slanderer has no valid interest and the purpose of which is attempted pecuniary gain. *See Rorvig v. Douglas*, 123 Wn.2d 854, 859, 873 P.2d 492 (1994).

As to the argument that the amendment of the subject judgment to remove reference to “Stebner Entities” somehow precludes the slander of title action and cures the need to quiet title to the properties: (1) To this date, and outrageously, Jones has done nothing to otherwise correct or withdraw the improper filing (and the dismissal of the lawsuit prevents Inglewood Holdings, LLC, from taking further corrective action); and (2) When has it been the case that terminating tortious conduct prevents a claim for damages suffered prior to the termination of the conduct?

Evidence has been presented, not unexpectedly, that the filing has created, and continues to create, a cloud on the title to the properties causing damage to the companies (which clearly was the intention of Jones).

Inglewood Holdings, LLC, et al., should be allowed to seek damages against Jones for their improper and malicious behavior and, as importantly,

proceed in their action to quiet the clouded titles, which Jones will clearly otherwise never do.

V. CONCLUSION

For the reasons stated herein, this Court should reverse the decision of the trial court granting Jones' motion for summary judgment, and deny Jones' motion.

RESPECTFULLY submitted this ^{4th} _____ day of August, 2016.

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APPENDIX

DECLARATION OF SERVICE

On said day below, I mailed a true and correct copy of the Reply Brief of Appellants in Court of Appeals Cause No. 74566-2-1 to the following party:

Marianne K. Jones
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I declare under penalty of perjury under the laws of the State of Washington and the United States that the foregoing is true and correct.

DATED August 4, 2016, at Bellingham, Washington.



Vanessa Daines

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