

SUPREME COURT OF THE
STATE OF WASHINGTON

CAMBRIDGE
TOWNHOMES, LLC, a
Washington limited liability
company; POLYGON
NORTHWEST COMPANY, a
Washington general
partnership,

Respondents,

v.

P.J. INTERPRIZE, INC., a
Washington corporation,

Petitioner,

No. 81003-6

RESPONDENTS'
STATEMENT OF
ADDITIONAL
AUTHORITIES

RECEIVED
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STATE OF WASHINGTON
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Pursuant to RAP 10.8, Respondents submit the following additional authorities with regard to the issue of the effect of Utley's discharge of personal liability in bankruptcy on the liability of PJ, Interprize, Inc., for the debt in its capacity as successor to the debtor:

- 11 U.S.C. § 524(e), regarding the effect of discharge in bankruptcy on the liability of entities other than the debtor:

[D]ischarge of a debt of the debtor does not affect the liability of any other entity on, or the

property of any other entity for, such debt.

- *W. Real Estate Fund, Inc. v. First Nat'l Bank and Trust Co. of Tulsa*, 922 F.2d 592, 600 (10th Cir. 1991) regarding liability of persons other than the debtor on the debt:

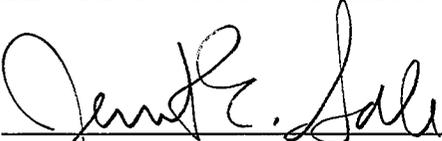
“What is important to keep in mind is that a discharge in bankruptcy does not extinguish the debt itself but merely releases the debtor from personal liability The debt still exists, however, and can be collected from any other entity that may be liable.” *In re Lembke*, 93 B.R. 701, 702 (Bankr. D. N.D. 1988).

- *Resorts Int'l, Inc. v. Lowenschuss*, 67 F.3d 1394, 1401-02 (9th Cir. 1995) regarding the bankruptcy court's power to release claims against entities other than the debtor.

- *Cf. Am. Hardwoods, Inc. v. Deutsche Credit Corp.*, 885 F.2d 621, 625-26 (9th Cir. 1989) regarding liability of entities other than the debtor for a discharged debt.

DATED January 29, 2009.

BULLIVANT HOUSER BAILEY PC

By 
Jerret E. Sale, WSBA #14101
Deborah L. Carstens, WSBA #17494

Attorneys for Respondents Cambridge
Townhomes, LLC, and Polygon
Northwest Company

CERTIFICATE OF SERVICE

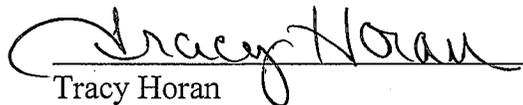
The undersigned certifies that on January 29, 2009, I caused to

be served this document to:

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I declare under penalty of perjury under the laws of the state of
Washington this January 29, 2009, at Seattle, Washington.


Tracy Horan

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