

IN THE SUPREME COURT
OF THE STATE OF WASHINGTON

RECEIVED BY E-MAIL *b/h*

DANA CLAUSEN,

NO. 85200-6

Respondent,

STATEMENT OF
ADDITIONAL
AUTHORITIES

v.

ICICLE SEAFOODS, INC.,

Appellant.

COMES NOW the respondent Dana Clausen and submits the following additional authorities to the Court pursuant to RAP 10.8:

- *Mai v. American Seafoods Co., LLC*, 160 Wn. App. 528, 249 P.3d 1030 (2011) (discussion of maintenance and cure and the circumstances under which the withholding of maintenance and cure is unreasonable, callous and recalcitrant, arbitrary and capricious, or willful, callous, and persistent);
- *Mathias v. Accor Economy Lodging, Inc.*, 347 F.3d 672 (7th Cir. 2003) (Judge Posner's discussion of policy underlying an award of punitive damages);
- *Southern Union Co. v. Irvin*, 563 F.3d 788 (9th Cir. 2007) (9th Circuit discusses the factors in assessing whether punitive damages was grossly excessive so as to constitute a violation of due process; a court must examine (1) the degree of reprehensibility of the defendant's misconduct; (2) the disparity between actual and potential harm suffered by the plaintiff and the punitive damages award and (3) the difference between punitive damages awarded by the jury and civil penalties authorized or imposed in comparable cases).

ORIGINAL

DATED this 6th day of September, 2011.

Respectfully submitted,



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DECLARATION OF SERVICE

On said day below I emailed and deposited with the US Postal Service a true and accurate copy of the following document: Statement of Additional Authorities in Supreme Court Cause No. 85200-6 to the following:

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Original efiled with:
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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: September 6, 2011, at Tukwila, Washington.


Paula Chapler
Talmadge/Fitzpatrick