

Tue 6/21/2011
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87062-4
NO. 40351-0-II

COURT OF APPEALS
OF THE STATE OF WASHINGTON
DIVISION II

DOCTOR'S ASSOCIATES, INC.,

Appellant,

v.

WAQAS SALEEMI & FAROOQ SHARYAR,

Respondents.

APPELLANT'S FOURTH ADDITIONAL AUTHORITIES
PURSUANT TO RAP 10.8

Gary H. Branfeld
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Attorney for Appellant

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Comes now Doctors Associates, Inc. by and through its attorneys of record and submits the following additional and corrected authorities pursuant to RAP 10.8.

ISSUES FOR WHICH ADDITIONAL AUTHORITY IS OFFERED

1. ***Corrected citation after original opinion withdrawn. Schnall v. AT&T Wireless Services, Inc.***, 2011 WL 1434644(Wash.) (April 14, 2011).

Brief of Appellant, page 24. The quotation cited in the Brief of Appellant, from the original decision is no longer present in the revised opinion. However, the concept for which it was cited still remains in the revised opinion.

2. **Does a court err in determining that the parties' forum selection clause is unconscionable where there is no evidence that the clause would effectively deny the plaintiffs any real opportunity to litigate their claims?**

Brief of Appellant, page 2-3, paragraph 4.

Additional Authority: *Green Tree Financial Corp.-Alabama v. Randolph*, 531 U.S. 79, 121 S.Ct. 513, 148 L.Ed.2d 373 (2000).

3. **The Party's Agreement to Arbitrate is not Unconscionable.**

Brief of Appellant, page 16, paragraph 5.

Additional Authority: *M.A. Mortenson Company, Inc. v.*

Timberline Software Corporation, 140 Wn.2d 568, 998 P.2d 305

(2000); *Doctors Associates v. Distajo*, 107 F.3d 126 (1997);

Doctors Associates v. Stuart, 85 F.3rd 975 (1996).

4. **Enforcement of Arbitration Agreements is Strongly Favored.**

Brief of Appellant, page 11, paragraph 2.

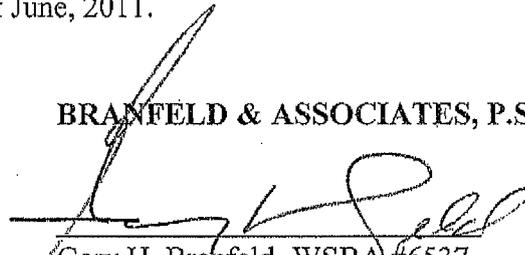
Additional Authority: *The Heights at Issaquah Ridge, Owners*

Ass'n v. Burton Landscape Group, Inc., 148 Wn. App. 400, 200

P.3d 254 (2009).

Dated this 21st day of June, 2011.

BRANFELD & ASSOCIATES, P.S.



Gary H. Branfeld, WSBA #6537
Attorneys for Appellant

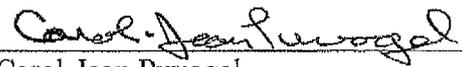
CERTIFICATE OF SERVICE

I, Carol-Jean Puvogel, hereby declare under the penalty of perjury under the laws of the State of Washington in the County of Pierce that on June 21, 2011, I mailed, postage prepaid, and properly addressed a true and correct copy of Appellant's Fourth Additional Authorities to the Respondents' at the following addresses:

Law Offices of Douglas D. Sulkosky
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Dated at University Place, Washington this 21st day of June, 2011.


Carol-Jean Puvogel