

SUPREME COURT OF THE  
STATE OF WASHINGTON

CINDY ALEXANDER;  
BLOCKER VENTURES,  
LLC; CHRIS CLARK; R.  
BRUCE EDGINGTON; KIPP  
JOHNSON and JENNIFER  
JOHNSON, husband and  
wife; GOPIKRISHNA  
KANURI and HIMABINDU  
KANURI, husband and wife;  
CHRIS KASPRZAK and  
ELIZABETH KASPRZAK,  
husband and wife; PAUL  
LARKINS and JOYCE  
HYOJUNG LARKINS,  
husband and wife; KRISTINE  
MAGNUSSEN; SCOTT  
MCKILLOP; CAINE OTT  
and DANA OTT, husband and  
wife; MARA PATTON;  
PETER RICHARDS; DANTE  
SCHULTZ; WINFRED D.  
SMITH; ROBERT  
STODDARD and COLETTE  
STODDARD, husband and  
wife; NEIL WEST; LIANG  
XU and JIA LU DUAN,  
husband and wife,

Appellants,

v.

GARY SANFORD and JANE  
DOE SANFORD, and their  
marital community; PAUL  
BURCKHARD and MURIEL  
BURCKHARD, and their

No. 90642-4

RESPONDENTS'  
STATEMENT OF  
ADDITIONAL AUTHORITY

Received *VSC*  
Washington State Supreme Court *E*

MAR 16 2015

Ronald R. Carpenter  
Clerk *RJC*

marital community; JAMES  
SANSBURN and JANE DOE  
SANSBURN, and their  
marital community;  
RICHARD PETER and JANE  
DOE PETER, and their  
marital community; SHANA  
HOLLEY and RICHARD  
HOLLEY, and their marital  
community; BRETT  
BACKUES and JANE DOE  
BACKUES, and their marital  
community; JOSEPH  
CUSIMANO and JANE DOE  
CUSIMANO, and their  
marital property; JASON  
FARNSWORTH, and their  
marital community;  
PATRICIA HOVDA and  
JOHN DOE HOVDA, and  
their marital community;  
ALEXANDER W. PHILIP  
and NATALIA T. PHILIP,  
and their marital community;  
HUCKLEBERRY CIRCLE,  
LLC, a Washington limited  
liability company; LOZIER  
HOMES CORPORATION, a  
Washington corporation;  
DOE DECLARANT  
AFFILIATES 1-20; DIANE  
GLENN and JOHN DOE  
GLENN, and their marital  
community;  
CONSTRUCTION  
CONSULTANTS OF  
WASHINGTON, LLC, a  
Washington limited liability  
company,

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Respondents.

Respondents jointly submit the following additional authority for the Court's consideration:

*McKown v. Simon Prop. Grp., Inc.*, No. 87722-0, 2015 WL 967917, at \*3-5, ¶¶ 10-14 (Wash. March 5, 2015) regarding the court's role in determining duty.

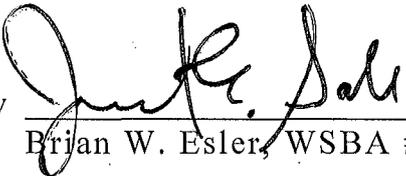
DATED this 13<sup>th</sup> day of March, 2015.

BULLIVANT HOUSER BAILEY PC

By   
Jerret E. Sale, WSBA #14101

Attorneys for Respondents Backues, Burckhard, Cusimano, Holley, Hovda, Lozier Homes Corporation, Peter, Philip, Sanford, and Sansburn

MILLER NASH GRAHAM & DUNN LLP

By  by permission  
Brian W. Esler, WSBA #22168

Attorneys for Respondents Sanford, Burckhard, Sansburn, and Lozier Homes Corporation

**CERTIFICATE OF SERVICE**

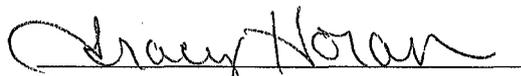
The undersigned certifies that on this 13<sup>th</sup> day of  
March, 2015, I caused to be served the foregoing document  
to:

Leonard Flanagan	<input checked="" type="checkbox"/>	via hand delivery.
Justin Sudweeks	<input type="checkbox"/>	via first class mail.
Daniel Houser	<input type="checkbox"/>	via email.

Stein, Flanagan, Sudweeks &  
Houser, PLLC  
901 5th Ave., Ste. 3000  
Seattle WA 98164

Attorneys for Appellants

I declare under penalty of perjury under the laws of  
the state of Washington this 13<sup>th</sup> day of March, 2015, at  
Seattle, Washington.

  
Tracy Horan

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