

66944-3

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Court of Appeals No. 66944-3-I

COURT OF APPEALS, DIVISION I
OF THE STATE OF WASHINGTON

SHARON SUMERA,

Respondent,

v.

GREGORY BEASLEY and JANE DOE BEASLEY, husband and wife
and the marital community composed thereof d/b/a ADVANCED
CHIROPRACTIC; and A TOUCH OF HEALTH, P.S., a Washington
Corporation,

Appellants.

APPELLANTS' REPLY BRIEF

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I. Reply

The illogic of Ms. Sumera's argument is revealed by the position she ultimately embraces. She states that *even today*, if somebody served a notice of claim on a healthcare provider, it would extend the statute of limitations on that person's claim. (Resp. Br., at 4.) This cannot be so, yet it must be so, if Ms. Sumera's argument is adopted.

Ms. Sumera's quibbles about precedent raise meaningless distinctions. Dr. Beasley's argument arises from well-settled principles which are illustrated by the cases he cited.

Finally, on appeal, Ms. Sumera has properly abandoned the argument (made below) that her reliance on the invalidated statute should be considered.

RESPECTFULLY SUBMITTED this 23rd day of December, 2011.

MERRICK, HOFSTEDT & LINDSEY, P.S.

By 
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CERTIFICATE OF SERVICE

THE UNDERSIGNED hereby certifies that on December 23, 2011, she placed Appellants' Reply Brief in the U.S. Mail with postage prepaid addressed to the persons whose names and addresses are set forth below:

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I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

EXECUTED this 23rd day of December, 2011, at Seattle, Washington.



Trinda Hartman
Assistant to Gary Eliassen, WSBA #2010