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COURT OF APPEALS
STATE OF WASHINGTON

NO. 69156-2-I

2012 NOV -1 10:41:05 *40*

COURT OF APPEALS
DIVISION I
OF THE STATE OF WASHINGTON

MARK CALVERT, as Liquidating Trustee of Meridian Mortgage Investor
Fund, I, LLC. et al., Appellants

vs.

FREDERICK DARREN BERG, an individual, MOSS ADAMS, LLP; and
DOES 1 through 50, inclusive, Respondents

and

EAGAN AVENATTI LLP, Appellant

and

LUVERA BARNETT BRINDLEY BENINGER & CUNNINGHAM, Appellant

JOINDER IN APPELLANTS CALVERT, EDWARDS AND EAGAN
AVENATTI LLP'S OPENING BRIEF

LUVERA, BARNETT, BRINDLEY,
BENINGER & CUNNINGHAM
Joel D. Cunningham, WSBA #5586
John E. Gagliardi, WSBA #24321
701 Fifth Avenue, Suite 6700
Seattle, WA 98104
206/467-6090

Luvera Law Firm Appellant

I. INTRODUCTION AND ARGUMENT

The law firm of Luvera Barnett Brindley Beninger & Cunningham (“Luvera Law Firm”), which served as local counsel for plaintiffs in the Superior Court in this matter, submits this short brief to join in the Brief of Appellants Calvert, Edwards, and Eagan Avenatti LLP.

This appeal concerns a judgment of sanctions that was entered against both plaintiffs and plaintiffs’ counsel. As plaintiffs’ counsel in the Superior Court, the Luvera Law Firm is an affected party. On August 22, 2012, the Luvera Law Firm filed a separate notice of appeal from the July 25, 2012 judgment of the Superior Court, and the case was assigned No. 65391-4-I. On October 16, 2012, the Court entered an order consolidating the Luvera Law Firm’s appeal with Case No. 69156-2-I.

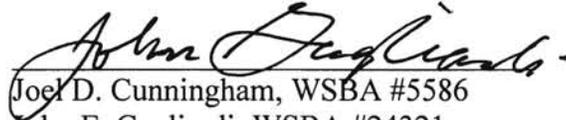
For the reasons cited in the Brief of Appellants Calvert, Edwards, and Eagan Avenatti LLP dated October 31, 2012, the Judgment dated July 25, 2012 is improper and should be reversed and vacated. Pursuant to RAP 10.1(g), the Luvera Law Firms adopts by reference the assignments of error, statement of issues, statement of the case, argument and conclusion, made in that brief.

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DATED this 1st day of November, 2012.

LUVERA, BARNETT, BRINDLEY,
BENINGER & CUNNINGHAM

A handwritten signature in black ink, appearing to read "John E. Gagliardi". The signature is written in a cursive style and is positioned above the printed name and contact information.

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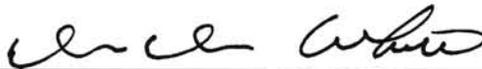
Appellant Luvera Law Firm

CERTIFICATE OF SERVICE

THE UNDERSIGNED hereby certifies under penalty of perjury that she caused delivery of a copy of the foregoing Joinder in Appellants' Opening Brief in the manner set forth below:

<p>Kelly P. Corr Steven W. Fogg Corr Cronin Michelson Baumgardner & Preece LLP 1001 4th Avenue, Suite 154</p> <p><u>SENT VIA:</u> <input type="checkbox"/> Fax <input type="checkbox"/> Regular U.S. Mail <input type="checkbox"/> E-mail/E-File <input checked="" type="checkbox"/> Hand delivery</p>	<p>Michael J. Avenatti Eagan Avenatti 450 Newport Center Drive, 2nd Floor New Beach, CA 92660</p> <p><u>SENT VIA:</u> <input type="checkbox"/> Fax <input type="checkbox"/> Regular U.S. Mail <input checked="" type="checkbox"/> E-mail/E-File <input type="checkbox"/> Hand delivery</p>
<p>Philip A. Talmadge Talmadge/Fitzpatrick 18010 Southcenter Parkway Tukwila, WA 98188</p> <p><u>SENT VIA:</u> <input type="checkbox"/> Fax <input type="checkbox"/> Regular U.S. Mail <input checked="" type="checkbox"/> E-mail/E-File <input type="checkbox"/> Hand delivery</p>	<p>Frederick Darren Berg Inmate No. 179850-0896FCI Lompoc Fed Correctional Institution 3600 Guard Road Lompoc, CA 93436-2705</p> <p><u>SENT VIA:</u> <input type="checkbox"/> Fax <input checked="" type="checkbox"/> Regular U.S. Mail <input type="checkbox"/> E-mail/E-File <input type="checkbox"/> Hand delivery</p>

DATED this 1st day of November, 2012.



 Dee Dee White
 Paralegal