

NO. 852051

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION ONE

VP ELITE CONSTRUCTION, LLC, a
Washington limited liability company,

Appellant,

v.

2400 ELLIOTT, LLC, a Washington limited
liability company,

Respondent.

APPELLANT'S MOTION TO ENLARGE
DEADLINE TO FILE PETITION FOR
REVIEW

I. IDENTITY OF THE MOVING PARTY

Appellant VP Elite Construction, LLC ("Appellant").

II. RELIEF REQUESTED

Under RAP 18.8, Appellant respectfully seeks an order allowing until May 23, 2024, to file a petition for review in this Court under RAP 13.4.

This motion seeks a summary determination in accordance with RAP 17.4(c)(1) because the motion does not affect the substantial rights of any party.

III. FACTS RELEVANT TO MOTION

On April 2, 2024, this Court denied Appellant's Motion for Reconsideration of the opinion of the Court of Appeals in this matter. Therefore, on May 2, 2024, within 30 days from that order, the opinion of the Court of Appeals will become final unless, in accordance with RAP 13.4, Appellant files a petition for review in this Court.

IV. GROUNDS FOR RELIEF AND ARGUMENT

RAP 18.8 allows this Court to "waive or alter the provisions of these rules and enlarge or shorten the time within which an act must be done in a particular case in order to serve the ends of justice." At this time, due to no fault of Appellant, given the current workload and relating scheduling conflicts, including previously unanticipated obligations, Appellant's counsel needs additional time to complete and file a petition for review. Appellant's counsel respectfully requests that the deadline for filing a petition of review in this matter be extended from May 2, 2024, to May 23, 2024.

DATED this 30th day of April 2024.

BORIS DAVIDOVSKIY, P.C.

/s/ Boris Davidovskiy

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CERTIFICATE OF SERVICE

The undersigned hereby certifies as follows:

I am employed at Boris Davidovskiy, P.C., attorney of record for Appellant herein.

On April 30, 2024, I caused a true and correct copy of the foregoing document to be (1) filed with the Court of Appeals, Division I and (2) be duly served on each and every attorney of record and party listed herein in the matter indicated:

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- Via Legal Messenger
- Via Facsimile
- Via U.S Postal Mail
- Via E-Service
- Via Hand Delivery

DATED this 30th day of April 2024 at Edmonds, Washington.

BORIS DAVIDOVSKIY, P.C.

/s/ Boris Davidovskiy

Boris Davidovskiy

BORIS DAVIDOVSKIY, P.C.

April 30, 2024 - 9:42 AM

Transmittal Information

Filed with Court: Court of Appeals Division I
Appellate Court Case Number: 85205-1
Appellate Court Case Title: 2400 Elliott LLC, Respondent v. VP Elite Construction LLC, Appellant

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