No. 1037660
(Court of Appeals, Division I, No. 39878-1)
(Franklin County Superior Court, Case No. 05-2-50557-8)

SUPREME COURT OF THE STATE OF WASHINGTON

DONNA ZINK and JEFF ZINK, wife and husband, and the marital community composed thereof,

Petitioners, and

CITY OF MESA, a Washington Municipal Corporation; et al

Defendant-Respondent.

RESPONDENT CITY OF MESA'S ANSWER TO PETITION FOR REVIEW

Megan M. Coluccio, WSBA #44178
John W. Barry, WSBA #55661
BAKER STERCHI COWDEN & RICE, LLC
2100 Westlake Avenue N., Suite 206
Seattle, WA 98109
Phone: 206-957-9669
Emails:
megan.coluccio@bakersterchi.com
john.barry@bakersterchi.com
Attorneys for Respondent City of Mesa

TABLE OF CONTENTS

TABLE OF AUTHORITIES

Cases

Statutes

Rules

I. INTRODUCTION AND IDENTITY OF THE PARTIES

This is the next stage in Petitioner Donna Zink's longstanding dispute with the City of Mesa, respondent here. Ms. Zink is a former councilmember and mayor of Mesa.

Ms. Zink seeks review on the amount of interest on an attorney fee award that was made by the trial court on July 18, 2023. This award was made after a 2021 Division III decision reversing the trial court's first attorney fee award, which was made in 2018, and remanding for new findings of fact and conclusions of law because the trial court's original attorney fee award was made without an adequate factual and legal record or adherence to the lodestar methodology. *See Mahler v. Szucs*, 435 Wn.2d 398, 435, 957 P.2d 632 (1998). The trial court held several hearings culminating in its July 18, 2023 ruling that Ms. Zink was entitled to post-judgment interest dating back to January 2018. The City appealed from the July 18, 2023 order awarding fees, and on appeal Division III directed the trial court

to award interest dating back to the entry of the order titled "Amended Judgment Award of Attorney Fees" on July 18, 2023. Ms. Zink now seeks this Court's review, seeking interest dating back to January 18, 2018 on the same theory Division III rejected.

To be clear: the opinion of this Court that Zink relies on for the proposition that she is owed fees back to 2018, does not furnish any authority for her position. In fact, *Fisher Properties Inc. v. Arden-Mayfair, Inc.* says the opposite. Where

> "the mandate [of the Court of Appeals] necessitated new findings and a new judgment, not a simple mathematical computation[,]…the court's reversal wiped out the original judgment and required a new judgment. Thus, interest on the…award of attorney fees must run from the date of the new judgment."

Fisher, 115 Wn.2 364, 374, 798 P.2d 799 (1990). This is precisely the situation in the case below, as Division III clearly stated in its Opinion, noting that it "did not affirm any portion of the judgment awarding attorney's fees," making it error to date interest back to the original, erroneous judgment in 2018. (Op. at

16.) In support of her petition, Ms. Zink interprets a binding case of this Court to require *the opposite* of what it plainly holds. By doing so, Ms. Zink attempts to delay resolution of this issue, which should have been resolved years ago. The net effect of this petition, and the argument therein, is to keep jurisdiction out of the trial court, where the City could instantly satisfy the judgment in its entirety.

There is no basis under RAP 13.4(b) for this Court to exercise review. Division III applied binding precedent correctly. No decisions of this Court or the Court of Appeals, including those cited by Ms. Zink in her Petition, hold otherwise. There is nothing constitutional or of importance to the public about how much Ms. Zink is owed in interest by Mesa. Division III's decision was correct and the City respectfully requests that Ms. Zink's Petition for Review be denied.

II. IDENTITY OF RESPONDENT

The City of Mesa ("the City") is the Respondent in this case and the defendant in the underlying Franklin County

Superior Court case below.

III. DECISION

The City asks the Court to deny review of the Division III Court of Appeals decision in this case, attached to Petitioner's brief as Appendix A.

IV. COUNTERSTATEMENT OF ISSUE

Should review be denied where the trial court and Division III, Court of Appeals upheld this Court's holding in *Fisher Properties Inc. v. Arden-Mayfair, Inc.* and its progeny, and ruled that Ms. Zink is entitled to interest dating from the July 18, 2023 trial court judgment awarding attorney fees, rather than January 18, 2018 when Division III in a prior opinion reversed the 2018 award entirely and remanded for further proceedings?

V. COUNTERSTATEMENT OF THE CASE

The Opinion below sets forth the facts and procedural history accurately. (Opinion at 2-7.) The facts below are those essential for analyzing the Petition only.

Ms. Zink sued the City in connection with her brief arrest

in 2003. The case was not tried until 2018, resulting in a defense verdict entered on January 18, 2018. (CP 358-359.) This verdict made no mention of attorney fees, a question that was not before the jury. (*Id.*) Post-trial, on March 2, 2018, the trial court entered judgment on Ms. Zink's OPMA claim in her favor. (*See* CP 462.) Subsequently, Ms. Zink sought costs and fees linked to the OPMA claim, submitting on June 15, 2018 a declaration by her former attorney Mr. St. Hilaire that he incurred $16,541.75 in fees. (CP 105-133.) On June 22, the trial court entered a separate judgment solely on attorney fees and post-judgment interest, awarding a much lower amount than requested in Mr. St. Hilaire's declaration. (CP 474-475.)[1] Ms. Zink appealed. (Op. at 3.)

The appeal concerned all of Ms. Zink's claims surviving to trial. *See Zink v. City of Mesa (Zink I)*, 17 Wn. App. 2d 701,

[1] The signed copy of the June 22, 2018 Judgment awarding attorney's fees from 2018 is attached as Ex. B. to Ms. Zink's later motion, following appellate proceedings in *Zink I*, to "Reassess[] Attorney Fees."

487 P.3d 902 (2021) (pub'd in part). With respect to fees, the Court of Appeals in 2021 found that the trial court's brief analysis of the factual basis underlying its fee award constituted an abuse of discretion because it did not apply the lodestar methodology as required by law. *Zink I* at 713-14. The *Zink I* Court found that the trial court "did not identify the number of hours reasonably expended on the Ms. Zink's case or the applicable rate. Nor did the court actively assess the vast majority of the billing records submitted by the Zinks." *Id.* at 714. Division III "remand[ed] to develop such a record." *Id.* at 714. In doing so, it reversed the trial court's OPMA fee award and remanded for further proceedings in the trial court. *Id.* at 715.

Further proceedings ensued. As relevant here, on September 12, 2022, the City submitted a declaration from Michael McFarland, an expert in attorney billing practices, analyzing attorney Mr. St. Hilaire's fee declaration from 2018. (CP 285-321.) On March 21, 2023, the trial court issued a ruling making an award of attorney's fees and interest, but reserving as

to the exact amount of interest pending further submissions from the parties. (CP 338-339; VRP 45:21-46:4.) After the March 21 hearing, the City submitted additional briefing arguing, *inter alia*, that the proper interest rate for a claim founded on the City's tortious conduct was two percentage points above the equivalent coupon issue yield of the average bill rate for a 26-week treasury bill. (CP 343.)

On July 18, 2023, the trial court heard argument on the interest rate issues and ruled that interest on an attorney fee claim should accrue at 12 percent per annum because attorney fees under the OPMA are a civil remedy, and not a tort. (VRP 77:14-16; 79:4-13.) The court issued an Amended Judgment on that date. (CP 349-350.) The trial court also found that the attorney fees were liquidated and were awarded as post-judgment interest. (*Id.*) The court made specific findings that Mr. St. Hilaire's billing was reasonable and that the amount of hours he expended were ascertainable from his declaration, after considering the St. Hilaire declaration and expert opinions by Mr. McFarland, an

attorney and expert in fee calculations, which criticized Mr. St. Hilaire's methodology in calculating fees. (VRP 77:25-78:12.) Finally, the trial court found, in line with Ms. Zink's argument, that interest should be calculated to January 18, 2018, the date of the original attorney fee order (VRP 81:3-6.) The City appealed on multiple issues related to the attorney fee award, including the date from which interest should be calculated.

Division III found that on remand, the trial court properly applied the lodestar method and created an adequate factual record as required in *Mahler*. (Op. at 7.) Specifically, the judgment entered after the July 18, 2023 hearing found in writing that the hours Mr. St. Hilaire submitted in his declaration were reasonably necessary to litigate the OPMA claim, that his hourly rate were reasonable, and that "the total attorney fee award was $16,561.75, plus 12 percent 'post-verdict interest.'" (Op. at 9 citing CP 353.) Division III considered the written judgment, the trial court's oral rulings from both March 21 and July 18, and the documents the trial court considered in finding that collectively,

there was an adequate record for review after remand. (Op. at 10.)

Division III then analyzed *Fisher*, and found that the opinion in *Fisher* controls the outcome of this case. (Op. at 14-16.) The Court drew a distinction between its determination in *Zink I* that the City violated the OPMA, and its separate determination in the same opinion that the trial court's order awarding fees failed to sufficiently assess the amount of the award using the lodestar methodology. (Op. at 16.)[2] As to this latter question, the Court of Appeals indicated that its opinion in *Zink I* "did not affirm any portion of the judgment awarding

[2] In *Zink I*, the Court of Appeals opinion analyzed these questions separately. In a section entitled "The city of Mesa violated the OPMA," it held (after analyzing the OPMA at length) that the mayor acted in her official capacity when she directed Ms. Zink to stop recording and that Ms. Zink accordingly stated an OPMA claim against the City. *Zink I*, 17 Wn. App. 2d at 711. Several pages later, the Court of Appeals reached a separate determination that the trial court failed to apply the lodestar methodology, and that the absence of an adequate factual and legal record required a remand to the trial court to develop such a record. *Id*. at 714 (*citing Mahler*, 135 Wn.2d at 435).

attorney fees," and so interest was properly calculated from its July 18, 2023 award which rested on the record as of that date, including the trial court's mixed findings of fact and conclusions of law contained in the July 18, 2023 attorney fee judgment and the verbatim report of proceedings from the March 21 and July 18, 2023 hearings.

Ms. Zink sought this Court's review as to the proper date for calculating interest only. (Petition at 7-8.)

VI. AUTHORITY AND ARGUMENT

Ms. Zink's petition for review does not clearly articulate a basis for this Court's review under RAP 13.4(b), but her implicit argument is that Division III's opinion below is counter to this Court's opinion in *Fisher*, described above. (*See* Petition at 1-3.) As an alternative basis for review, Ms. Zink argues that Division III's opinion is at odds with Division I's published opinion in *Fulle v. Boulevard Excavating, Inc.*, 25 Wn. App. 520, 610 P.2d 387 (1980). Ms. Zink also points to allegedly "significant, long-lasting implications" for how post-judgment interest is

calculated. (Petition at 4.) Collectively, Ms. Zink articulates a basis for review under RAP 13.4(b)(1), (2), and (4). However, as to RAP 13.4(1) and (2), Ms. Zink's argument hinges on a fundamental misreading of both *Fisher* and *Fulle*, in which she reads *Fisher*'s dicta as its holding and fails to appreciate that *Fulle* is distinguishable from this case for the same exact reasons it was distinguishable in *Fisher*.

In addition, Ms. Zink's petition for review spends nearly a dozen pages attempting to create an irrelevant distinction between a "verdict" and a "judgment on [that] verdict." *See* Petition at 11-21 (and *passim*). Such a distinction is irrelevant. The Court of Appeals opinion below correctly recognized that the trial court's first fee judgment, entered on June 22, 2018 (not January 18, as Ms. Zink misleadingly asserts) was not based on findings of fact or conclusions of law as required by Washington case law, and consequently Division III's decision in *Zink I* "wiped out" that judgment and required the trial court to re-do its analysis on the record, which it did collectively in two hearings

on March 21 and July 18, 2023. Under this Court's controlling precedent in *Fisher*, interest is properly calculated to the date the trial court decided all the relevant issues on fees, July 18, 2023. Ms. Zink fails to establish that the Division III decision conflicts either with this Court or a published Court of Appeals decision. Further, this petition does not involve an issue of substantial public interest. This Court should decline to review the Court of Appeals opinion below.

A. The Court of Appeals Adhered to Longstanding Precedent Requiring Any Judgment Awarding Attorney Fees Must Be Based on Findings of Fact and Conclusions of Law.

Prior to discussing Ms. Zink's position as to the proper date of interest calculation, it is necessary to set forth the basic standard upon which all attorney fee awards in Washington are based. In calculating any award of fees, the Court applies the "lodestar method," which multiplies the hours reasonably expended in securing the result by the reasonable hourly rate of compensation. *Bowers v. Transamerica Title Ins. Co.*, 100

Wn.2d 581 597, 675 P.2d 193 (1983). The reasonable hourly rate is "grounded specifically in the market value of the property in question—the lawyer's services." *Scott Fetzer Co. v. Weeks*, 122 Wn.2d 141, 150, 859 P.2d 1210 (1993).[3] The court may adjust upward or downward to account for other factors, including but not limited to "time expended, the difficulty of the questions involved, the skill required, customary charges of other attorneys, the amount involved, the benefit to the client," or the contingent nature of fees. *Id*. The Court's determination of the lodestar amount (both as to hours and fees) must be supported by findings of fact and conclusions of law sufficient to show how

[3] As a recent unpublished Division I case illustrates, the trial court's lodestar analysis is intensive and fact-bound and cannot be resolved in the first instance solely by doing math. *See Vandivere v. Vertical World*, Nos. 85568-9-I, 85769-0-I, 2024 WL 4930343 at *8 (Wn. Ct. App. Dec. 2, 2024) (unpub'd). At minimum, the lodestar analysis requires a specific factual finding that an attorney's hourly rate *is reasonable*, as well as by determining that all the hours were reasonably expended. *Id*. (citing *Fetzer*, 122 Wn.2d at 150). That is precisely what the trial court did when it analyzed whether Mr. St. Hilaire's hourly rate was consistent with practitioners of similar skill and experience. (*See* Op. at 5 (citing VRP 22-24).)

the Court reached its factual and legal determination on fees. *Mahler v. Szucs*, 135 Wn.2d 398, 435, 957 P.2d 632 (1998) (overruled on other grounds by *Matsyuk v. State Farm Fire & Cas. Co.*, 173 Wn.2d 643, 272 P.3d 802 (2012)). Absent an adequate factual record on review, the reviewing court must remand to the trial court to establish such a record. *Id.*; *Sentinel C3, Inc. v. Hunt*, 181 Wn.2d 127, 144-45, 331 P.3d 40 (2014).

Ms. Zink does not dispute that in 2018, and specifically in the June 22, 2018 "judgment" awarding attorney fees and costs, the trial court failed to undertake a lodestar analysis in determining the appropriate measure of attorney fees prior to awarding her only $6,511.49 in costs and fees. (Petition at 9 ("Zink…appealed the [fee judgment] contending that the trial court…failed to apply the…lodestar methodology.")) In *Zink I*, the Court of Appeals agreed with her, finding that "the trial court did not identify the number of hours reasonably expended…or the applicable rate." *Zink I*, 17 Wn. App. at 714. Absent such *factual* findings that a certain number of hours billed by Mr. St.

Hilaire were reasonably expended in success on the OPMA claim, and the rate he charged was reasonable in comparison to similar practitioners, any award was necessarily an abuse of discretion. In such situations, it is well established since *Mahler* that a reviewing court must send the case back to make those specific factual findings, which Division III did in *Zink I*. Simply stated, under Ms. Zink's own theory in her 2021 appeal, the June 22, 2018 award of attorney fees is a nullity.

B. Zink's Petition Misstates the Holding of this Court's Controlling Decision in *Fisher*.

Ms. Zink argues that interest should begin to accrue on January 18, 2018, the date that the jury issued its verdict in favor of the City of Mesa and against Ms. Zink on the OPMA claim. No decision by this Court or any other Washington court supports her argument. Nevertheless, Ms. Zink claims without citation that *Fisher* "determined that post-judgment interest accrues from the date of the trial court's original verdict, not from the later entry of judgment," (Petition at 11-12) in order to argue

that interest should accrue from the January 18, 2018 jury verdict *against* her.

Nothing in *Fisher* supports that proposition. Instead, *Fisher* clearly holds that "[a]wards reversed on review do not bear interest." *Fisher*, 115 Wn.2d at 373.

Here, the June 22, 2018 award of attorney's fees was reversed on review. *Zink I*, 17 Wn. App. 2d at 715. Specifically, Division III found that the award failed to consider or properly apply the factors applicable to a lodestar analysis. *Id.* at 713-14. Division III remanded for specific findings consistent with a lodestar analysis. *Id.* at 715. Thus, under *Fisher*, the original award of fees was "wiped out" pending a proper lodestar analysis as described in *Mahler*, which becomes the new date for which interest is to be calculated. *Fisher*, 115 Wn.2d at 374.

Ms. Zink's entire argument hinges on dicta in *Fisher* discussing a Division I opinion, *Fulle v. Boulevard Excavating, Inc*. In *Fulle*, the trial court entered a money judgment on September 22, 1976 in the amount of $31,587, but denied a

$68,233 claim ("claim 6A") as barred by the 3-year statute of limitations applicable to oral contracts. *Fulle*, 25 Wn. App. 520, 521, 610 P.2d 387 (1980). Division I, on its first appeal, found that the 6-year statute of limitations applied to Fulle's claim 6A. *Fulle v. Boulevard Excavating, Inc. (Fulle I)*, 20 Wn. App. 741, 743, 582 P.2d 566 (1978). The Court held in *Fulle I* that the defendant was liable for the full amount of damages already proven. *Id.* at 744. Because the amount of damages at issue in claim 6A was already proven at the initial trial, all that was required on remand was for the trial court to add $61,233 to the existing $31,587 judgment and calculate interest accordingly. *Fulle*, 25 Wn. App. at 524. "Under such circumstances, interest on [claim 6A] shall date back to and shall accrue from the date the original judgment was rendered." *Id.* Under *Fulle*, where the trial court need only add two judgment amounts together where all the facts have already been decided, interest may run from the date of the original judgment.

In *Fisher*, this Court distinguished *Fulle* because in that

case, unlike in *Fulle*, "an issue remained to be determined." *Fisher*, 115 Wn.2d at 374. Specifically, in *Fisher*, it was necessary for the trial court to "make findings [of fact] as to what portion of time counsel devoted to the [fee-authorizing] claim and to reassess attorney's fees." *Id.* "The trial court could not merely recalculate; it had to make [factual determinations.] The exercise of discretion here removes it from the modification situation" that existed in *Fulle*. *Id.* "This court's reversal wiped out the original judgment and required new findings and a new judgment. Thus, interest…must run from the date of the new judgment." *Id.* at 375.

Division III's decision below is consistent with *Fisher*. As discussed above, the *Zink I* court found that the trial court did not evaluate the facts required by a lodestar analysis, reversed the initial fee judgment, and remanded to the trial court to decide the issue of fees by evaluating factual material contained in Mr. St. Hilaire's declaration consistent with the lodestar analysis. It also considered the expert opinion(s) by Mr. McFarland, and made a

factual determination as to the reasonableness of the hours claimed and the hourly rate billed. These factual determinations (as well as the legal determination that the OPMA is not a tort) remove this case from the modification situation discussed in *Fulle*. Thus, Division III correctly followed *Fisher*, and there is no conflict with *Fulle* because *Fulle* is factually and legally inapposite. As there is no conflict between the opinion below and any of this Court's opinions or any published opinion by the Court of Appeals, there is no basis for this Court to exercise review under RAP 13.4(b)(1) or (2). This Court should decline to review the opinion below.

C. Interest is Properly Calculated from July 18, 2023, the Date the Court Reached its Final Determination After Evaluating all Relevant Factors.

Ms. Zink's briefing is extremely vague with respect to what date attorneys fees were awarded in 2018. She has consistently claimed that the relevant date is January 18, the date the jury issued its special verdict form finding in favor of the City

of Mesa that the City did *not* violate the OPMA. (CP 358-359.) But this makes little sense.

Under the OPMA, fees are awarded when a person *prevails* in an action against a public agency for violating the OPMA. RCW 42.30.120. Losing a jury trial is the opposite of success on the merits of an OPMA claim. Ms. Zink did not *prevail* on her underlying OPMA claim until March 2, 2018 when the Court entered judgment for her as a matter of law. (*See* CP 462). Further, the Court did not award attorney fees until June 22, 2018. (CP 474-475.) Under Ms. Zink's argument, she is entitled to interest on fees dating back to a verdict against her, prior to any judgment that the City of Mesa violated the OPMA (the predicate finding for awarding fees under RCW 42.30.120) and prior to the filing of any factual material (i.e., a fee declaration) that the trial court, had it followed *Mahler*, would have needed to evaluate in order to make a fee award applying a lodestar analysis.

However, the record reflects that the trial court in its

March 21 and July 18 hearings, collectively, made the factual and legal determinations required for a lodestar analysis. On March 21, the trial court reviewed the hours claimed by Mr. St. Hilaire (84.53 hours) and the rate, and made a finding that the rate, as well as the increase over time, was appropriate. This factual finding, given from the bench on March 21 and quoted at length in the Opinion below (Op. at 5), is the first time the trial court made the type of lodestar analysis required by *Mahler* as required to award attorney fees in the first place.

It was also necessary to identify the proper interest rate before an amount of interest could be awarded. To do that, the trial court needed to determine whether the statutory interest rate of 12 percent per annum or the lower rate for tort judgments against public agencies applied to the OPMA claim. *See* RCW 4.56.110. While the trial court made an initial judgment that the 12 percent rate applied, it reserved for a future order what the exact amount would be. Subsequently, the parties litigated in briefing which interest rate applied, and only after reviewing the

briefing and hearing argument on July 18, 2023 did the trial court actually reach a conclusion of law that "the Open Public Meetings Act is a civil remedy. It is not a tort." (VRP at 77:15-16.) These findings and conclusions were memorialized in an Amended Judgment dated July 18.[4]

All of these findings and conclusions were necessary to calculate the interest rate that applied to Ms. Zink's successful OPMA claim, and Division III considered the record from both hearings on review. (Op. at 5-6.) Because the trial court's findings and conclusions as required by *Mahler* occurred at two hearings and the full, amended attorney fee judgment was not entered until July 18, 2023, that date is the proper one from which interest should run at 12 percent per annum.

Division III recognized that findings of fact and

[4] The VRP also shows that the trial court on July 18, 2023 considered on the record the City and its expert's criticisms of Mr. St. Hilaire's billing practices, an additional factual finding necessary to determine that Mr. St. Hilaire's claimed fee amount was reasonable.

conclusions of law, not mere recalculation, was required by the trial court in the 2023 hearings. Accordingly, it applied *Fisher*, a procedurally identical case concerning an amended judgment, and held that interest should run from July 18. Because the ruling below is consistent with this Court's precedent and that of other appellate decisions, and Ms. Zink has identified no credible basis for an earlier award, this Court should decline review.

D. No Public Interest Justifies Review.

While Ms. Zink's petition is unclear as to the claimed basis for review under RAP 13.4(b), she alludes to the supposed "significant, long-lasting implications" of this case for how judgments on attorney fees are handled in civil cases. (Petition at 4.) To the extent this asserts a "substantial public interest" justifying review under RAP 13.4(b)(4), no good cause for review exists.

The opinion below is simply a straightforward application of this Court's holding in *Fisher*, which has been the law for 34 years. Ms. Zink cites no cases decided after *Fisher* which add

any gloss or complexity to that opinion, points to no pending cases raising similar issues, and her statutory arguments about what a "verdict" is in this context are simply irrelevant to the Division III decision below, which turned on the date judgment was entered on attorney fees after remand. More broadly, the issue of how much the City of Mesa owes to Ms. Zink in fees and interest on those fees is a matter that concerns only these parties as they attempt to resolve what has been, to date, a very lengthy litigation process. This Court should decline to review the opinion below based on substantial public interest, there being none here.

VII. CONCLUSION

Ms. Zink's request for review fails to satisfy the standards of RAP 13.4(b). Division III correctly applied this Court's precedent when it determined that interest on Ms. Zink's fee award ran from July 18, 2023. There is no basis for this Court's review where the Court of Appeals correctly identified and applied precedent. The Petition for Review should be denied.

This document contains 4,406 words, excluding the parts of the document exempted from the word count by RAP 18.17.

Respectfully submitted this 3rd day of February, 2025.

BAKER STERCHI COWDEN & RICE, LLC

/s/ John W. Barry
Megan M. Coluccio, WSBA #10895
John W. Barry, WSBA #55661
Attorneys for Defendants-Respondent City of Mesa
2100 Westlake Avenue N., Suite 206
Seattle, WA 98109
Phone: 206-957-9669
Email: megan.coluccio@bakersterchi.com
Email: john.barry@bakersterchi.com

CERTIFICATE OF SERVICE

On said day below, I electronically served a true and accurate copy of the ***RESPONDENT CITY OF MESA'S ANSWER TO PETITION FOR REVIEW*** in the Supreme Court of Washington, Case No. 1037660, to the following parties:

Donna Zink
Jeff Zink
Pro se
P.O. Box 263
Mesa, WA 99343
Phone: 509-265-4417
Email: dlczink@outlook.com
Email: jeffzink@outlook.com

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

DATED this day 3rd of February, 2025.

/s/ Stefanie Palmer
STEFANIE PALMER

BAKER STERCHI COWDEN & RICE LLC

February 03, 2025 - 3:59 PM

Transmittal Information

Filed with Court:	Supreme Court
Appellate Court Case Number:	103,766-0
Appellate Court Case Title:	Donna Zink, et al v. Dave Scantlin, et al
Superior Court Case Number:	05-2-50557-8

The following documents have been uploaded:

- 1037660_Answer_Reply_20250203155806SC937865_4089.pdf
  This File Contains:
  Answer/Reply - Answer to Petition for Review
  The Original File Name was 20250203 Answer.final.pdf

A copy of the uploaded files will be sent to:

- dlczink@outlook.com
- jeffzink@outlook.com
- megan.coluccio@bakersterchi.com
- stefanie.palmer@bakersterchi.com
- stefanie@christielawgroup.com

Comments:

Sender Name: Stefanie Palmer - Email: stefanie.palmer@bakersterchi.com
Filing on Behalf of: John Wellington Tsuj Barry - Email: john.barry@bakersterchi.com
(Alternate Email:)

Address:
2100 Westlake Avenue North
Suite 206
Seattle, WA, 98109
Phone: (206) 957-9669

Note: The Filing Id is 20250203155806SC937865