No. 104074-1

SUPREME COURT
OF THE STATE OF WASHINGTON

ARYNN HAUK,

Petitioner,

v.

BRANDON WUESTHOFF,

Respondent.

ANSWER TO PETITION FOR REVIEW

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I. INTRODUCTION

The Child Relocation Act ("CRA") provides that when parents have "substantially equal residential time," the presumption in favor of allowing the child to relocate does not apply. RCW 26.09.525(1)(a). The CRA defines substantially equal residential time as "forty-five percent or more of the child's residential time is spent with each parent." RCW 26.09.525(2). In "determining the percentage" of time the child resides with each parent, the CRA requires the court to "base its determination on the amount of time designated in the court order." RCW 26.09.525(2)(b).

The Court of Appeals properly rejected mother's argument that RCW 26.09.525 requires trial courts to "consider only the current phase of a parenting plan in calculating each parent's residential time, rather than the parenting plan as a whole." (Op. 7) Instead, the court held RCW 26.09.525 requires trial courts to consider the total

amount of time designated to each parent under the parenting plan and "not on a portion of the time in the parenting plan." (Op. 12)

Review is not warranted under RAP 13.4 because the Court of Appeals decision is wholly consistent with a plain reading of the statute and the intent underlying the CRA. Further, this case is not well-suited for review because an alternative ground that was not addressed by the Court of Appeals supports the trial court's decision—under either parent's interpretation of RCW 26.09.525, the daughter spent more than 45 percent of her residential time with father at the time the trial court made its relocation decision, when the holiday schedule is included.

This Court should deny review.

II. RESTATEMENT OF THE CASE

A. The judge who entered the original July 2020 parenting plan found it was in the best interest of the parties' daughter, then age 2, to reside with both parents equally once she started kindergarten in August 2023.

Respondent Brandon Wuesthoff and petitioner Arynn Hauk are the parents of a daughter born May 23, 2018. (*See* CP 340-41) The judge who presided over the parties' divorce trial entered a parenting plan for the daughter, then age 2, on July 10, 2020. (CP 427-38) Based on the evidence presented at trial, the judge found it was in the daughter's best interests to reside with both parents "50/50" once the daughter started kindergarten in August 2023, at age 5. (*See* CP 430, 437; RP 5) Between entry of the parenting plan in July 2020 and August 2023 when the daughter would reside with each parent on a weekly basis, father was granted increasing residential time over four phases. (CP 429-30) Immediately preceding the 50/50 residential schedule, the daughter was to reside with father

six out of fourteen overnights, when the daughter reached age 3. (CP 429)

In addition to the regular residential schedule, father had up to two and one-half additional days every year for his birthday and Father's Day. (CP 431, 33) Because the parents shared other holidays on an alternating basis, father had up to ten additional days in odd years for Fourth of July, Thanksgiving break, New Years, and the daughter's birthday. (CP 431-33, 465-66) In even years, father had up to seven and one-half additional days for Winter Break and Halloween. (CP 431-33, 465-66)

B. By the time mother sought to relocate in April 2022, the daughter was residing with father six out of fourteen overnights, plus holidays.

On April 20, 2022, mother filed a notice of intent to relocate with the daughter to Virginia, where her fiancé's two children from a previous marriage resided. (CP 1-4) By then, the daughter had been residing with father for six out of fourteen overnights for nearly a year and the family was

sixteen months from the 50/50 residential schedule taking effect. (CP 429-30)

Father objected to the daughter's relocation away from Washington, where her extended family, including both sets of grandparents, her paternal great grandparents, stepmother, and half-sister—father's daughter from his new marriage—live. (CP 19-25) Father asserted in his objection that the parties share "substantially equal residential time," as the daughter spends "45% or more of their time with each parent." (CP 19-20) Including the additional time under the holiday schedule, father asserted that in the twelve months leading up to mother filing her notice of intent to relocate in April 2022, the daughter had resided with father for approximately 168 days, or 46 percent of the time. (*See* CP 42-43)

Whether the parents have "substantially equal residential time" with the daughter was of significant relevance to whether the daughter would be allowed to

relocate because the presumption in favor of relocation under RCW 26.09.520 is not applied in those circumstances. RCW 26.09.525(1)(a). Because the statute defines substantially equal residential time as "arrangements in which forty-five percent or more of the child's residential time is spent with each parent" RCW 26.09.525(2), father asserted that mother was not entitled to the presumption that relocation be granted. (CP 42)

In her answer to father's objection, mother responded to his statement that the parties have substantially equal residential time by stating she "agree[s] with what the other party said about this." (CP 96) Mother, however, disputed father's statements that relocation was not in the daughter's best interests. (*See* CP 97-98)

C. The court-appointed GAL recommended that relocation be denied based on her opinion that it would be harmful to the daughter to disrupt her relationship with her father, with whom she resided over 45 percent of the time.

The court-appointed guardian ad litem (GAL) recommended that relocation be denied. (CP 319) The GAL reported that "for twenty-one months, [the daughter] has had consistently over 45% residential time with her father and about 55% residential time with her mother." (CP 280) While the GAL acknowledged that the daughter was "securely bonded with each parent," she expressed concern that if the daughter were allowed to relocate her "relationship with her father would be severely disrupted to the point of detriment to [the daughter]'s well-being" (CP 319) and the relocation would "likely cause her extreme distress and separation anxiety from her father, his wife, her half-sister and her extended family in the area here." (CP 314)

D. During the relocation trial, the parties disputed whether they had substantially equal residential time with the daughter.

Shortly before the relocation trial, then scheduled to commence on April 4, 2023, mother sought to amend her answer to father's objection, in which she had conceded the parents have substantially equal residential time. Mother changed her position and claimed she was entitled to the presumption that the relocation be allowed under RCW 26.09.520 because the daughter resided the majority of time with her. (*See* CP 101, 106, 224) The trial court granted mother leave to amend her answer and continued the trial to May 2, 2023, approximately three months before the 50/50 residential schedule under the parenting plan would take effect. (*See* CP 214-15, 444)

During trial, father asserted that notwithstanding that the 50/50 residential schedule was not yet in effect, he had substantially equal residential time with the daughter under the then-existing phase of the parenting plan.

Including the holiday schedule, depending on whether it was an odd year or even year, father asserted the daughter spent 45 to 46 percent of her residential time with him. (CP 465-66)[1]

E. The trial court denied mother's request to relocate the daughter.

1. The trial court found mother was not entitled to the relocation presumption because father had substantially equal residential time based on the total "amount of time designated" to him in the parenting plan.

At the conclusion of trial, the trial court noted that three months from the conclusion of trial, the parties would enter the final phase of the parenting plan making it "a 50/50 plan," which will be followed until the daughter reached age 18. (RP 5-6) The trial court therefore recognized that "for approximately 13 years of this parenting plan, [father] would have . . . equal amount of

[1] Father's calculation of his residential time was admitted as an illustrative exhibit at trial. (CP 447, 463-66)

parenting time" as mother (RP 6), which would be disrupted if the daughter were allowed to relocate.

In determining whether the presumption favoring relocation applied, the trial court did not consider the amount of time father had under the current phase of the parenting plan, which father asserted was approximately 45 percent of the time, including holidays. Instead, the trial court considered "the totality of the plan, what the court refers to as the 'four corners of the plan'" to determine whether the parties had substantially equal residential time. (Finding of Fact (FF) 11(b), CP 417)

The trial court found, based on "the plan on its face," that "over the course of the entirety of the plan until the child turns 18, the child will spend 46.9% of the time with [father]." (FF 11(c), CP 417) Accordingly, the trial court found, "on its face, the 2020 Parenting Plan is a substantially equal parenting plan." (FF 11(e), CP 418)

2. The trial court found it was not in the daughter's best interests to relocate.

Based on its determination that the parents had substantially equal residential time under the parenting plan, the trial court based its relocation decision on the daughter's best interests rather than mother's best interests and the relocation presumption. (*See* FF 11(dd), CP 420) After considering the factors under RCW 26.09.520, the trial court stated, "[b]ased on the totality of the evidence and the court's review of all factors, the court finds it is in the child's best interests to decline relocation to Virginia" with mother. (FF 11(kk), CP 420)

The trial court found that "a long-distance move of a 5-year-old girl who's very well-bonded with her father" was not in her best interests. (RP 32) The trial court acknowledged mother's reasons for wanting to relocate with the daughter were "not without merit, but they are not sufficient to justify substantially reducing [father]'s time" (FF 11(mm), CP 421) and "do not justify the cost of the

child's significant loss of time with [father] and is not in the child's best interest." (FF 11(nn), CP 421)

The trial court also noted that while the daughter "has met folks in Virginia," it found she was "more bonded with family members in Western Washington." (FF 5(a)(5), CP 411) The trial court found "from an emotional development standpoint, relocation would be a significant hindrance on [the daughter] and would impact her significantly." (RP 24)

Because "the presumption in favor of relocation is significant," the trial court acknowledged that had the presumption applied, "my decision on relocation may have been different . . . and I'm not sure that the father would have overcome that presumption had that been the analysis." (RP 33; FF 11(oo), (pp), CP 421)

After the trial court ruled, mother confirmed her intent to relocate without the daughter. A modified parenting plan was entered to accommodate mother's

relocation on November 14, 2023. (CP 370) The daughter now resides with father during the school year, with mother during the majority of summer break, and with each parent during alternating holidays and spring and winter breaks. (CP 372-74) Therefore, when this answer is filed, daughter will have been residing the majority of time with father for eighteen months.

F. In a split decision, the Court of Appeals affirmed.

Mother appealed the trial court's decision, arguing that "under RCW 26.09.525, a trial court should consider only the current phase of a parenting plan in calculating each parent's residential time, rather than the parenting plan as a whole." (Op. 7) Mother, however, did not dispute that based on the trial court's interpretation of RCW 26.09.525, father had 46.9 percent of residential time with the daughter under the parenting plan. (Op. 3, n.2)

Father responded that "the trial court's calculation of residential time is consistent with the plain language of

RCW 26.09.525." (Op. 7, internal quotations omitted) Father however conditionally cross-appealed from the trial court's decision, arguing "that even if the trial court erred in how it calculated each parent's residential time, this court can nevertheless affirm because had the trial court considered Wuesthoff's residential time under phase three of the 2020 parenting plan including the holidays it would have still found the parents had substantially equal residential time." (Op. 5, n. 3, internal quotations and alterations omitted)

The Court of Appeals affirmed the trial court's decision in 2-1 split decision. The majority held that the trial court's computation of each parent's residential time "based on the totality of the [parenting] plan" was consistent with a plain language reading of RCW 26.09.525(2)(b), which states that in determining the percentage of residential time the parents have with the child, the court must "base its determination on the

amount of time *designated in the court order*." (Op. 9, emphasis in original) Accordingly, the majority held that RCW 26.09.525(2)(b) "supports the trial court's calculation of residential time by looking to the applicable parenting plan and not just the phase of the parenting plan applicable at the time the relocation motion is filed." (Op. 9) Because the majority affirmed the trial court's method of calculation, it did not address father's conditional cross-appeal. (Op. 5, n. 3)

Judge Veljacic dissented, apparently viewing the inquiry under RCW 26.09.525 as "determining the primary residential parent" (Dissent 14) and expressing concern that considering "anticipatory time not yet spent to determine the primary residential parent is inconsistent with the best interests of the child." (Dissent 15) Judge Veljacic stated that "only actual 'time spent'" should be considered "when determining the primary residential parent." (Dissent 15)

III. GROUNDS FOR DENIAL OF REVIEW

A. Review is not warranted because the Court of Appeals decision does not conflict with any published appellate decisions.

Review of the Court of Appeals decision is not warranted because it does not conflict with any published appellate court decisions. RAP 13.4(b)(1), (2). The "conflict" alleged by petitioner is based not on case law, but on her assertion that the court's interpretation of RCW 26.09.525 "undermines the CRA, the traditional presumption that fit parents act in a child's best interests, and numerous cases giving effect to that presumption, as well as the relocation presumption that incorporates it." (Pet. 29) She is wrong.

The relocation presumption only applies when the child resides the majority of time with one parent because it presumes "that a fit parent entrusted with the most time with a child will act in the child's best interest, and thus the relocation must also be in the child's best interest."

Marriage of Ruff & Worthley, 198 Wn. App. 419, 431, ¶27, 393 P.3d 859 (2017). The presumption gives deference to the primary residential parent's request to relocate the child because of "the traditional presumption that a fit parent will act in the best interests of her child." *Marriage of Horner*, 151 Wn.2d 884, 895, 93 P.3d 124 (2004).

However, when "forty-five percent or more of the child's residential time is spent with each parent," the parents have "substantially equal residential time" and the presumption favoring relocation under RCW 26.09.520 "does not apply." RCW 26.09.525(1)(a), (2). Under those circumstances, "both parents are equally entrusted to act in the child's best interests" and "the court presumes both parents act in the child's best interests." *Ruff*, 198 Wn. App. at 431, ¶27. Therefore, when the result of a proposed relocation would disrupt a parenting plan that is intended to provide the child substantially equal residential time with each parent, rather than "emphasize one parent's best

interest," the "focus should be on the child's best interest." *Ruff*, 198 Wn. App. at 431, ¶27.

The Court of Appeals decision is wholly consistent with these principles and those decisions addressing them. Because the amount of time designated "from the time the Parenting Plan was entered until the date it ends" provided the parents with substantially equal residential time (FF 11(b), (d), CP 416-17), the court properly affirmed the trial court's relocation order based on the child's best interests and not mother's best interests and the presumption that relocation should be allowed. (Op. 11-12)

Nevertheless, petitioner, relying on the dissent's interpretation of RCW 26.09.525 as requiring a trial court to consider "only time spent, and not time to be spent" (Dissent 14), claims the court's interpretation of RCW 26.09.525 undermines the CRA "by determining residential time based not on the present (or even the past) but on anticipated yet unspent residential time that may

never come to pass." (Pet. 28) But that is exactly what the CRA requires trial courts do when faced with deciding the issue of relocation at the same time they are entering a final parenting plan.

Under those circumstances, the trial court first decides whether one parent is entitled to a majority of residential time using the criteria under RCW 26.09.187 for final parenting plans. *Marriage of Abbess*, 23 Wn. App. 2d 479, 489, ¶19, 516 P.3d 443 (2022). Then, based on that decision and the "anticipated yet unspent residential time that may never come to pass" (Pet. 28) the trial court decides the issue of relocation including whether the relocation presumption applies. *Abbess*, 23 Wn. App. 2d at 489, ¶¶18, 19.

In other words, a trial court can decide that the child should reside equally with their parents and then decide relocation based on the child's best interests, and not on the relocation presumption, even though the child may

never have resided equally with both parents at the time the relocation decision is made. Thus, contrary to petitioner's assertion (Pet. 24), a parent who "historically possessed a majority of the residential time and does so at the time they seek relocation" may not be entitled to the relocation presumption if the trial court determines in the permanent parenting plan that the child should reside substantially equally with both parents. *See, e.g., Abbess*, 23 Wn. App. 2d at 489, ¶18. (mother not entitled to relocation presumption even though at the time the trial court was deciding relocation the child had been residing with her the majority of time under a temporary parenting plan).

While the trial court was not deciding relocation and a final parenting plan at the same time in this case, how the CRA is applied under those circumstances shows the court's interpretation of RCW 26.09.525 does not "contradict" the CRA, as petitioner claims. (Pet. 27)

Finally, petitioner misplaces her reliance on unpublished appellate decisions that purportedly represent the "common practice" of deciding whether the relocation presumption applies for "phased-in parenting plans based on the current residential schedule, not on anticipated, unspent time." (Pet. 20) Leaving aside these are unpublished decisions that cannot create a RAP 13.4(b)(2) conflict, RCW 26.09.525 did not apply in any of those cases because the statute was not yet in effect.

B. Review is not warranted because the Court of Appeals decision properly interprets RCW 26.09.525.

1. The plain language of the statute supports the majority's interpretation.

Review of the Court of Appeals decision is in any event not warranted because it properly interpreted RCW 26.09.525. In interpreting a statute, courts must give effect to legislative intent, beginning with the "plain language of the statute." *Marriage of Abbess*, 23 Wn. App. 2d 479, 484, ¶11, 516 P.3d 443 (2022).

RCW 26.09.525 states that courts must determine whether parents have substantially equal residential time based on the "amount of time designated in the court order unless: (i) There has been an ongoing pattern of substantial deviation from the residential schedule; (ii) both parents have agreed to the deviation; and (iii) the deviation is not based on circumstances that are beyond either parent's ability to control." RCW 26.09.525(2)(b). As "court order" by definition includes a parenting plan, RCW 26.09.410(1), the court properly interpreted RCW 26.09.525 as requiring trial courts to consider the residential time allocated to each parent over the course of the parenting plan "and not just the phase of the parenting plan applicable at the time the relocation motion is filed." (Op. 9)

Petitioner challenges the court's interpretation of RCW 26.09.525 by focusing on the portions of the statute providing that the presumption in favor of relocation does not apply if "the person proposing relocation of a child *has*

substantially equal residential time," RCW 26.09.525(1)(a); that is, an arrangement "in which forty-five percent or more of the child's residential time *is spent* with each parent." RCW 26.09.525(2) (emphasis added). Petitioner argues that because "has" and "is spent" are "present tense" verbs, then whether parents have substantially equal residential time under RCW 26.09.525(2)(b) "is referring to the present time, not to the future." (Pet. 15) The dissent likewise asserts that RCW 26.09.525 requires consideration of "only time spent, and not time to be spent." (Dissent 14)

The court properly rejected this interpretation because it "ignores the plain language of RCWs 26.09.525(2)(b) and .410(1), which, when read together, direct the trial court to determine residential time based on the temporary or permanent parenting plan, not a *portion* of the plan." (Op. 10, emphasis added) Whether a parent "has" or "presently possesses" substantially equal

residential time (Pet. 13) depends on how that percentage is determined. As the court correctly reasoned, by requiring the trial court to base its determination on the "amount of time designated in the court order" the Legislature intended for the trial court to consider the residential schedule over the course of the parenting plan, "not the phase designated in the court order at the time the relocation motion is filed." (Op. 9)

Petitioner's interpretation of RCW 26.09.525 reads provisions into the statute that are not there. Courts "will not read qualifications into the statute which are not there. A court cannot read into a statute that which it may believe the legislature has omitted, be it an intentional or inadvertent omission." *Custody of Smith*, 137 Wn.2d 1, 12, 969 P.2d 21 (1998), *aff'd sub nom. Troxel v. Granville*, 530 U.S. 57, 120 S. Ct. 2054, 147 L. Ed. 2d 49 (2000) (quoted source and internal quotations omitted). Yet, according to petitioner, RCW 26.09.525 requires trial courts to "base its

determination on the amount of time designated in the court order **at the present time**." (bolded language added)

If RCW 26.09.525(2)(b) were rewritten to include the language petitioner proposes, it would only create an ambiguity that does not exist in the statute as written, and as interpreted by the Court of Appeals. For instance, what is the "present time" that a court must consider? Is it the residential schedule in effect when the notice of intent to relocate is served? Or is it the residential schedule in effect when the trial court decides whether to allow or restrain the relocation after a trial that usually takes place months, or in this case a year, after the notice is served? Or is it the residential schedule in effect on the date the relocating parent intends to relocate the child?

Finally, the court properly declined to adopt the dissent's interpretation of RCW 26.09.525 as requiring consideration of "only actual 'time spent'" (Dissent 15)

because it conflicts with the plain language of the statute. RCW 26.09.525(2)(b) states, absent "an ongoing pattern of substantial deviation," the court must determine whether parents have substantially equal residential time based on the "amount of time designated in the court order." In other words, it is the "time designated" in the parenting plan that controls the trial court's determination, not the "actual time spent" by the child with each parent. (Dissent 15) The "actual time spent" is only relevant if part of "an ongoing pattern of substantial deviation." RCW 26.09.525(2)(b).

2. Petitioner's proffered interpretation would lead to unjust results, allowing one parent to disrupt phased-in equal parenting plans that were expressly negotiated or court-ordered.

The Court of Appeals also properly rejected the interpretation of RCW 26.09.525 proffered by petitioner because it undermines the "custodial continuity" that underlies the laws and policies governing the best interests

of the child. *See In re C.M.F.*, 179 Wn.2d 411, 427, ¶33, 314 P.3d 1109 (2013). One of the statutory "objectives" of a "permanent parenting plan" is to "[p]rovide for the child's changing needs as the child grows and matures, in a way that minimizes the need for future modifications to the permanent parenting plan." RCW 26.09.184(1)(c). The court's interpretation of RCW 26.09.525 gives effect to decisions made by parents (when parenting plans are agreed), and by judges (when parenting plans are entered after a trial), that a phased-in equal parenting plan is in the best interests of the child, by minimizing the need for future modifications.

If the "amount of time designated" in a phased-in equal parenting plan provides substantially equal residential time to each parent, the child's best interests are served by eliminating the relocation presumption, as intended by RCW 26.09.525, and shifts the focus of a relocation decision to the child's best interests, and not the

relocating parent's best interests. The court's interpretation of RCW 26.09.525 gives proper deference to a residential schedule that was already determined to be in the child's best interests even if, at the time the determination is made, the equal schedule has not yet taken effect.

Petitioner claims the court's interpretation "wrongly assumes the residential schedule will not change." (Pet. 18) But this assumption is not wrong. Our laws and policy recognize the "strong presumption in favor of custodial continuity and against modification," which are viewed as "highly disruptive to children." *See C.M.F.*, 179 Wn.2d at 427, ¶33 (quoted source omitted); *Drury v. Tabares*, 97 Wn. App. 860, 864, 987 P.2d 659 (1999). The goal of preserving the "custodial continuity" of substantially equal parenting plans is just as important as preserving a child's custodial continuity with a primary residential parent. *Drury,* 97 Wn. App. at 864 (reversing modification of an

agreed 50/50 parenting plan that failed to preserve the parents' agreement to share overnights equally).

Petitioner's interpretation of RCW 26.09.525 imposing the presumption in favor of relocation based on a snapshot in time rather than the intent of the parenting plan when entered encourages gamesmanship and unjust results by making it easy for a parent to disrupt a phased-in equal parenting plan that they agreed was, or that was found by a court to be, in the child's best interests. It is petitioner's interpretation of the statute, not the court's interpretation, that will have a "chilling effect" on future phased-in equal parenting plans. (Pet. 24-26)

Courts and parties will be reluctant to enter phased-in equal parenting plans if, under petitioner's interpretation of RCW 26.09.525, a parent who temporarily has more time with the child also has a "thumb on the scale" entitling them to the presumption that they could relocate the child before a planned equal schedule

takes effect. This is a wholly unjust result that the Legislature could not have intended when enacting RCW 26.09.525.

C. Review is not warranted because the applicability of the majority's interpretation of RCW 26.09.525 is limited.

Review of the Court of Appeals decision is not warranted under RAP 13.4(b)(4) because it does not involve an issue of substantial public interest. Whether RCW 26.09.525 requires the court to consider the total amount of time designated in the parenting plan "and not just the phase of the parenting plan applicable at the time the relocation motion is filed" (Op. 9) will have no relevance in the vast majority of cases.

Both petitioner and the dissent claim that the court's interpretation of RCW 26.09.525 will have broad application based on their assertion that "phased parenting plan orders" are "routinely" entered. (Dissent 14; Pet. 20-21, 25-26) However, not all phased-in parenting plans

warrant a trial court calculating the "amount of time designated in the court order" over all of its phases to determine whether parents have substantially equal residential time. As reflected in published and unpublished appellate cases, the vast majority of "phased parenting plan orders" are not self-executing like the parenting plan here, which guaranteed father increased residential time in phases leading up to a final phase providing both parents with equal time for the remaining duration of the plan.

Instead, as both petitioner and the dissent recognize, many phased parenting plans "contain statutory protections under RCW 26.09.191" where conditions, such as "completion of substance abuse disorder treatment, domestic violence treatment, [or] a series of successful supervised visits," must be met "before a new phase becomes effective." (Dissent 16; Pet. 25) In those cases, "many parents do not complete those phases or may take a long time to do so." (Pet. 25)

The court's interpretation of RCW 26.09.525 would not apply to these parenting plans because the "amount of time designated in the court order" cannot be calculated for future phases that are dependent on the parents meeting specific conditions. In those instances, only the time unconditionally designated to each parent will be considered, which may be represented by the phase the parents are then following. The court's interpretation of RCW 26.09.525 is only relevant to the minority of phased parenting plans, such as this one, where the "amount of time designated in the court order" to each parent over each phase is guaranteed, allowing the court to determine whether the established residential schedule in the parenting plan provides for substantially equal residential time.

IV. CONCLUSION

This Court should deny review.

I certify that this answer is in 14-point Georgia font and contains 4,871 words, in compliance with the Rules of Appellate Procedure. RAP 18.17(b).

Dated this 22nd day of May, 2025.

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DECLARATION OF SERVICE

The undersigned declares under penalty of perjury, under the laws of the State of Washington, that the following is true and correct:

That on May 22, 2025, I arranged for service of the foregoing Answer to Petition for Review, to the court and to the parties to this action as follows:

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DATED at Everett, Washington this 22nd day of May, 2025.

/s/ Victoria K. Vigoren
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May 22, 2025 - 1:23 PM

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