FILED
SUPREME COURT
STATE OF WASHINGTON
9/29/2025 12:50 PM
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No. 1042329

SUPREME COURT

OF THE STATE OF WASHINGTON

SARA HUTCHINSON

Appellant,

vs.

ED PUTKA

Respondent.

RESPONDENT'S REPLY TO MOTION TO FILE SUPPLEMENTAL ISSUE STATEMENT

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RELIEF REQUESTED

Ed Putka requests that this court deny Hutchinson's Motion to file a Supplemental Issue Statement.

BASIS

1. UNTIMELY

The original Petition for Review in this case was filed on May 29, 2025. No mention was made of any federal statutes or case law. No reason has been offered as to why such material was not included in the original Petition. The argument, four months later, now seems to be that there is federal law that applies and is relevant to review.

The first mention of any federal law came in an inappropriate Reply to Answer filed by Hutchinson on July 7, 2025. By letter of the same day, this Court informed her that Reply was subject to a Clerk's Motion to Strike as filed contrary to the Rules for Appellate Procedure. This Motion to Strike remains pending.

Hutchinson has a history of repeated late filings in the Court of Appeals for which no sanctions were received. RAP 18.8 (b) **Restriction on Extension of Time** states:

> The appellate court will only in extraordinary circumstances and to prevent a gross miscarriage of justice extend the time within which a party musts file...a petition for review. The appellate court will ordinarily hold that the desirability of finality of decisions outweighs the privilege of a litigant to obtain an extension of time under this section.

Throughout this litigation Putka has been repeatedly forced to wait and respond to Hutchinson's failure to follow the rules.

2. CONTINUED MISREPRESENTATION OF THE RECORD

Despite alleging that her statement does not expand the record or reargue facts, it does exactly that.

In her second basis for review, Hutchinson claims the trial court originally denied Summary Judgment then later reversed itself on substantially the same record. She claims this means that *McDonnell Douglas* alone cannot provide adequate guidance for RCW 49.60.2235 and we must look to federal law.

However, both Putka's Answer to Petition for Review (P. 6) and the appellate court's decision (Op 7-9) make clear that the second Summary Judgment ruling came only after a Motion in Limine, a second deposition, and a new Declaration by the Respondent. This subsequent discovery revealed no separate discrimination claim for eviction from the building, a matter that was unclear to the trial judge at the first Summary Judgment hearing. Hutchinson distorts the record yet claims she does not reargue facts.

So too, with the implications she raises in her basis number four. There, she seems to re-argue that the appellate court found no coercion, but rather "hard-bargaining or negotiations." The appellate court made no such finding but instead found a prima facie case of coercion. (Op. 15). Her case ultimately fails because she makes no showing the coercion was based on her disability or veteran status. Putka tried to talk her out of buying the house because he learned she was a self-admitted liar and fraud, not because she was a disabled veteran. No reference to federal law is necessary to define "coercion."

3. THE SCOPE OF RCW 49.60.2235 IS CLEAR AND WAS NOT INCONSISTENTLY APPLIED HERE.

The scope of RCW 49.60.2235 is clear: It is unfair to coerce, intimidate, threaten or interfere with any person in the exercise of any right protected by the discrimination statute. This language exactly mirrors the language of 42 USC 3617. The legal issue in our case is not the **scope** of coercion **but whether the coercion was based on discrimination.**

As stated in Putka's Answer to Petition for review, the legal formula that applies to discrimination in Washington is well-established in *McDonnell Douglas* and *Tafoya.* (Answer to Petition. Pgs. 5,1,13). No two discrimination cases are the same, but it cannot be that every discrimination case qualifies as a matter of first impression, as this is not a workable standard.

Hutchinson has here offered no argument either that the appellate court inconsistently applied the long- established standards for discrimination or that the court should create new standards just because this is a real estate case. As such, there is no basis for review under RAP 13.4.

CONCLUSION

For the above-stated reasons, this Court should deny Hutchinson's late filing and argument stated therein. Review should be denied.

Certificate of Compliance

I certify that this filing contains 691 words.

Respectfully submitted,

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LAW OFFICE OF MEREDITH A LONG PLLC

September 29, 2025 - 12:50 PM

Transmittal Information

Filed with Court:	Supreme Court
Appellate Court Case Number:	104,232-9
Appellate Court Case Title:	Sara Hutchinson v. Ed Putka
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The following documents have been uploaded:

- 1042329_Answer_Reply_20250929124727SC501647_1042.pdf
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