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SUPREME COURT  
OF THE STATE OF WASHINGTON

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ALEXANDER HANUSKA,

Petitioner/Plaintiff

v.

DEPARTMENT OF LABOR & INDUSTRIES, ET AL.,

Respondent/Defendant

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RESPONDENT NORDSTROM, INC.'S OPPOSITION TO  
PLAINTIFF'S MOTION TO STRIKE

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 ORIGINAL

Identity of Responding Party. Respondent Nordstrom, Inc. (“Nordstrom”) provides the following response to Petitioner Alexander Hanuska’s Motion to Strike Defendant’s Perjury Statements of Record by D. Michael Reilly and Laura T. Morse (“Motion to Strike” or “MTS”).

B. Response to Motion to Strike. Nordstrom and its counsel take claims of perjured statements very seriously. Thus, although the Motion to Strike is wholly without merit, Nordstrom files this response to lodge a formal objection to Mr. Hanuska’s allegations.

Distilling down his 20-page brief, Mr. Hanuska makes the following three arguments relevant to his Motion to Strike: (1) Attorney Morse improperly noted that Mr. Hanuska’s failure to file the Clerk’s Papers on the date originally set caused a delay in the proceedings (MTS at pp. 3, 5); (2) Ms. Morse omitted a discussion of Mr. Hanuska’s arguments regarding various issues related to his brief (*Id.* at p. 9); and (3) Ms. Morse misled the Court by not acknowledging the service issues Mr. Hanuska has repeatedly raised (*Id.* at p. 11). Mr. Hanuska concludes by disagreeing with Nordstrom’s analysis of *In re Sanai*.

On the first item, Nordstrom maintains that the record in this matter speaks for itself as to the timing of the filing of the Clerk’s Papers and the change in subsequent deadlines. On the second two items, if Nordstrom allegedly omitted any discussion, then there is nothing to strike from its briefing. Further, Nordstrom is under no obligation to recite or acknowledge Mr. Hanuska’s view of the facts of his case or his alleged service issues, especially where Nordstrom’s briefing simply recited chronological events supported by the Court’s record. Finally, on the conclusion regarding the *Sanai* case, Mr. Hanuska’s disagreement

over Nordstrom's analysis is not properly the basis of a motion to strike. The Motion to Strike should be denied.<sup>1</sup>

Respectfully submitted this 14th day of March, 2014.

LANE POWELL PC

By s/Laura T. Morse

D. Michael Reilly

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<sup>1</sup> On March 13, 2014, Nordstrom received via U.S. Mail a document titled Appellant's Objection to Defendant's Motion to Strike Appellant's Motion to Strike Defendant's Perjury Statements of Record by D. Michael Reilly & Laura T. Morse ("Objection"). This appears to be another recitation of Mr. Hanuska's substantive claims underlying his Petition for Review. To the extent that this Objection requires a response, Nordstrom simply refers the Court to its Answer to the Petition for Review. Nordstrom will not otherwise submit a response to the Objection unless directed to do so by the Court.