

RECEIVED
SUPREME COURT
STATE OF WASHINGTON
Apr 10, 2014, 12:01 pm
BY RONALD R. CARPENTER
CLERK

E COF
RECEIVED BY E-MAIL

No. 89861-8

IN THE SUPREME COURT
OF THE STATE OF WASHINGTON

In re:

LALIDA SCHNURMAN,

Respondent,

and

SETH J. SCHNURMAN,

Appellant.

ANSWER TO MOTION TO
STRIKE

RAP 13.4 (d) permits a reply where the answering party "...wants to seek review of any issue that is not raised in the petition for review, including any issues that were raised and not decided in the Court of Appeals, the party must raise those issues in an answer." The answer filed on behalf of Ms. Schnurman does so in the following respects to which a reply is warranted by the rule:

I. Whether Failure To Supply The Full Record Prohibits Review:

This is an issue raised on behalf of Ms. Schnurman not raised in the petition for review. The argument was made at the Court of Appeals on behalf of Ms. Schnurman, and the Court of Appeals decision did not

APPELLANT'S ANSWER
TO MOTION TO STRIKE - 1

 ORIGINAL

decide this issue. Thus it is properly the subject of a reply under RAP 13.4 (d).

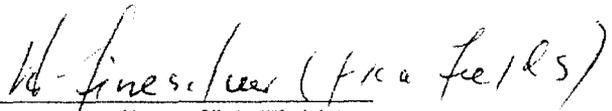
II. Whether Consideration Of An Expanded McCausland Approach Is Moot Since The Combined Net Incomes Of The Parties Do Not Exceed \$12,000 Per Month:

The answer seeks review by this court of the mootness issue so as to justify a decision to deny the petition for review. This is not an issue discussed in the petition. A reply is allowed under RAP 13.4 (d).

III. Whether A Potential Conflict With A Pending Decision Of Another Division Of The Court Of Appeals Fulfills The Requirement Of RAP 13.4 (b) (2).

The answer asks this court to review this issue, which was not raised in the petition under 13.4 (b) (2). Thus a reply is permitted under RAP 13.4 (d).

DATED at Seattle, Washington, on this 9 day of April, 2014.


H. Michael Finesilver (f/k/a Fields)
WSBA# 5495
Anderson, Fields, Dermody, Pressnall &
McIlwain, Inc., P.S.
207 E. Edgar Street
Seattle, Washington 98102
(206) 322-2060