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NO. 69643-2

COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION I

(King County Superior Court Cause No. 12-2-20677-5 JVM)

PATRICIA A GRANT,

Plaintiff-Appellant,

vs.

CLAUDIO GABRIEL ALPEROVICH, M.D.; ST FRANCIS HOSPITAL- FRANCISCAN HEALTH SYSTEM; VALLEY MEDICAL CENTER, TRIENT M. NGUYEN, D.O.; MICHAEL K. HORI, M.D.; PACIFIC MEDICAL CENTER, INC.; LISA OSWALD, M.D.; SHOBA KRISHNAMURTHY, M.D.; MICHELE PULLING, M.D.; WM. RICHARD LUDWIG, M.D.; U.S. FAMILY HEALTH PLAN @PACIFIC MEDICAL CENTER INC.; VIRGINIA MASON MEDICAL CENTER; and RICHARD C. THIRLBY, M.D., UNKNOWN JANE AND DOES

Defendants-Respondents.

APPELLANT'S RESPONSE TO RESPONDENT'S REPLY BRIEFS

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I. INTRODUCTION.

Now comes Pro Se Appellant, Patricia A. Grant, PhD ("Grant"), under **GREAT DURESS**, replying to Appellants Michael K. Hori, M.D. ("Hori"); Michele Pulling, M.D. ("Pulling"); Franciscan Health System and Claudio Gabriel Alperovich, M.D. (Collectively "Alperovich"); Valley Medical Center and Trient Nguyen, M.D. (Collectively "Nguyen"); Virginia Mason Medical Center and Richard Thirlby, M.D. (Collectively "Thirlby"); and M.D.'s Lisa Oswald, Shoba Krishnamurthy, Richard Ludwig, Pacific Medical Center; and U.S. Family Health Plan @Pacific Medical Center, Inc. (Collectively "PacMed") both singularly and jointly.

Appellant's response to Respondent's reply in this said court, supports her request for "Review and Trial De Novo" based on biasness, a rush to summary judgment, denial of "due process of the law", and other legal issues as a matter of law **[CP 1- 488] and [RP November 9, 2012, March 22, 2013].**

II. ISSUES AND DISCUSSION.

Grant strengthens her appeal with the following:

A) Did the Trial Judge violate Grant, Pro Se Litigant's U.S. Constitutional protected rights? Discussion: U.S. Constitutional Fourteenth Amendment (Amendment XIV) entitles every person to "Due" process of the law, as a matter of law. **Forsyth v. Fed'n Empl. &**

Guidance Ser... , 409 F.3d 565, 2005 U.S. App. LEXIS 10375, 95 Fair Empl. Prac. Cas. (BNA) 1545 (2d Cir. N.Y. 2005). In determining whether the district court acted properly in granting summary judgment, the court resolves all ambiguities and draws all reasonable inferences against the moving party. Where the non-moving party is preceding pro se, the court must interpret that party's supporting papers liberally, that is, interpret them to raise the strongest arguments that they suggest.

At the time of filing her original complaint, Grant identified herself as a 100% Disable Veteran and filed her DD Form 214 and Veteran's Administration Verification letters **[CP 1- 19, 221-222].** Trial Judge, Jay V. White, did not execute judicial proceedings or laws protecting the rights of Pro Se Litigants, including one with a mental or behavioral health disability. When Grant had this denial of rights brought to his attention, he announced that he did not want to embarrass her, as he read his court directives **[RP 1 Ln 22 – 2 Ln 1- 7 March 22, 2013].**

Trail Judge informed Grant why he allowed her to be outnumber with five summary motions stating, "it's difficult for people, but what the laws says is that even though people represent themselves and the Court can demonstrate some patience on some of the procedures, you're held to the same standards" **[RP 5 Ln 1-7 and 20 lLn 1-7 November 9, 2012].**

On Pro Se Leniency the law states: **Haines v. Kerner, 404 U.S. 520 (1971):** In finding plaintiff's complaint legally sufficient, Supreme Court found that pro se pleadings should be held to "less stringent standards" than those drafted by attorneys. **Jenkins v. McKeithen, 395 U.S. 411, 421 (1959); Picking v. Pennsylvania R. Co., 151 Fed 2nd 240; Pucket v. Cox, 456 2nd 233**: Pro se pleadings are to be considered without regard to technicality; pro se litigants' pleadings are not to be held to the same high standards of perfection as lawyers. **Maty v. Grasselli Chemical Co., 303 U.S. 197 (1938):** "Pleadings are intended to serve as a means of arriving at fair and just settlements of controversies between litigants. They should not raise barriers, which prevent the achievement of that end. Proper pleading is important, but its importance consists in its effectiveness as a means to accomplish the end of a just judgment." **Puckett v. Cox, 456 F. 2d 233 (1972) (6th Cir. USCA):** It was held that a pro se complaint requires a less stringent reading than one drafted by a lawyer per Justice Black in Conley v. Gibson (see case listed above, Pro Se Rights Section).

B) Did Trial Judge support Respondent's with a "Rush to Summary Judgment"? Discussion: La Plante v. State , 85 Wn.2d 154, 531 P.2d 299, 1975 Wash. LEXIS 863 (1975: Negligence consists of (1) the existence of a duty owed to the complaining party, (2) a breach thereof, and (3) a resulting injury. For legal responsibility to attach to the

negligent conduct, the claimed breach of duty must be a proximate cause of the resulting injury.

The purpose of summary judgment is to avoid a useless trial when there is no genuine issue of any material fact. **If, however, there is a genuine issue of material fact a trial is necessary.** It is the trial court's function to determine whether such a genuine issue exists. The **burden of proving, by uncontroverted facts, that no genuine issue exists is upon the moving party. When a motion for summary judgment is supported by evidentiary matter, the adverse party may not rest on mere allegations in the pleadings but must set forth specific facts showing that there is a genuine issue for trial.** If no genuine issue of material fact exists, it must then be determined whether the moving party is entitled to judgment as a matter of law. **Wash. Super. Ct. Civ. R. 56(c).**

If the moving party does not sustain the burden, summary judgment **should not be entered, irrespective of whether or not the opponent has submitted affidavits or other responsive materials.**

In her pleadings before and during summary judgment hearing, Grant supported her claim with medical evidence, established pretext responses, clarified converted facts and submitted expert witness testimony **[CP 1-488] and [RP November 9, 2012, March 22, 2013].** Respondents established a legal dispute as a matter of law, argued technicalities and

rule violations over the legal ruling, thus failing to satisfy their burden to obtain a summary judgment ruling. Trial Judge failed to apply the law, giving Grant the nonmoving party any consideration, thus denying request for case amendment(s), discovery investigation, while he argued against her to cut court time, dispose her case and grant Respondent's summary judgment **[RP 18 Ln 4-24 thru 20 Ln 17 November 9, 2012].**

C) Did Trial Judge's dismal of Grant's medical evidence, striking her Expert Witness letter as untimely, ruling against her on technicalities, a judgment that she failed to establish case prima fascia? Discussion: State v. Ziegler, 114 Wn.2d 533 (Wash. 1990): Medical Records Business, genuine trial errors of fact: 5.45.020 makes evidence that would otherwise be hearsay competent testimony. Section 5.45.020 contemplates that business records are presumptively reliable, if made in the regular course of business and there was no apparent motive to falsify. Section 5.45.020 contains five requirements for admissibility designed to ensure reliability. To be admissible in evidence a business record must (1) be in record form, (2) be of an act, condition or event, (3) be made in the regular course of business, (4) be made at or near the time of the act, condition or event, and (5) the court must be satisfied that the sources of information, method, and time of preparation justify the admittance of the evidence.

Furthermore, Morris v. McNicol , 83 Wn.2d 491, 519 P.2d 7, 1974 Wash. LEXIS 926 (1974), Lamon v. McDonnell Douglas Corp. , 91 Wn.2d 345, 588 P.2d 1346, 1979 Wash. LEXIS 1159 (1979) Washington v. Allstate Ins. Co. , 901 F.2d 1281, 1990 U.S. App. LEXIS 8508, 16 Fed. R. Serv. 3d (Callaghan) 1408 (5th Cir. La. 1990):

An affidavit submitted in a summary judgment proceeding should comply with **statutory requirements and conform, as nearly as possible**, to what the **affiant would be permitted to testify to in court**. And, in summary judgment proceedings, courts will generally **indulge in some leniency with respect to affidavits presented by the nonmovant**. **Wash. Super. Ct. Civ. R. 56(e).** Pursuant to **Wash. Super. Ct. Civ. R. 56(c), a summary judgment is only available where, "there is no genuine issue as to any material fact and the moving party is entitled to a judgment as a matter of law**. A "material fact" is a fact upon which the outcome of the litigation depends, in whole or in part.

Grant, although angrily scorned by the Trial Judge, testified that she had submitted her medical records provided by Respondent's (Grant declared these records in her pleadings). The trial proceeding had numerous tape erasers **[RP 18 Ln 4-24 November 9, 2012]**, yet **Grant was able to meet the burden of a summary judgment denial or case continuance, through her testimony, evidence she submitted to**

establish her healthcare malpractice prima fascia, as support by legal case rulings [RP 18 Ln 4 thru 20 Ln 21]. Respondents did not meet the burden that Grant had no genuine triable evidence of facts, according to **Wash. Super. Ct. Civ. R. 56(c)(e)**.

Grant presented her Expert Testimony, informing the Trial Judge of extenuating circumstances due to Super storm Hurricane Sandy, October 30, 2009 and the following Snowstorm November 7, 2009 affecting her ability to obtain Expert Testimony Letter (Date November 7, 2012) before the day of her hearing, November 9, 2012 (9:00 am). Additionally, she had argued for discovery citing **Putman v. Wenatchee Valley Med. Ctr.... 166 Wn.2d 974, 216 P.3d 374, 2009 Wash. LEXIS 754 (2009),** and summarized supporting evidence to deny Respondent's Summary Judgment Motion **[RP 23 Ln 1 thru 28 Ln 4].**

Trial Judge ruling with prejudice dismissal and granting counselor's summary requests, while not giving Grant, nonmoving party legal case considerations as a matter of law. This raises Grant's question of establishing case prima fascia. Trial Judge allowing Grant to testify, while denying her legally protected rights does not constitute , nonmoving party considerations, as a matter of law.

D) Did Trial Judge deny Grant her constitutional right of Discovery, according to **Putman v. Wenatchee Valley Med. Ctr.... 166**

Wn.2d 974, 216 P.3d 374, 2009 Wash. LEXIS 754 (2009? Grant stated in her Appellant Brief and in trial court records that she had 30 days and less for Discovery investigation, although she requested Discovery with her original complaint. Respondent's arguments and Trial Judge's denials was not legally founded:

> **Mabury v. Madison, 5 U.S. (1 Cranch) 137, 163, 2 L.Ed. 60 (1803): "The people have a right of access to courts; it is"the bedrock foundation upon which rest all the people's rights and obligations." John Doe v. Puget Sound Blood Ctr., 117 Wash.2d 772, 780, 819 P.2d 370 (1991). This right of access to courts "includes the right of discovery authorized by the civil rules." Id. As we have said before, "[i]t is common legal knowledge that extensive discovery is necessary to effectively pursue either a plaintiff's claim or a defendant's defense." Id. at 782, 819 P.2d 370.**

In her original complaint, Grant provided valid reasons to the Trial Judge to allow her Discovery investigation, as granted by Washington and Federal court rulings, which overrode Respondent's civil rule 56 (f) arguments. Trial Judge denied her constitutional rights by honoring Respondent's request and dismissing her complaint in a summary judgement.

E) Did Trial Judge deny Grant the right of Discovery, when she identified that her healthcare complaint emanated from a violation of her civil rights [CP 3-14]? Grant's healthcare complaint rendered two distinct and separate legal causes: 1) Medical Malpractice filed in State Court June 15, 2012 and 2) America Disability Act Civil Rights Violations

filed in Federal Court June 15, 2012 **[CP 476-485 – Exhibit 5]**. Grant tried to explain this to the Trial Judge, but he continued to cutoff her testimony **[RP 14 Ln 24 thru 16 Ln 25 November 9, 2012]**. **Discussion: Canaday v. Kelley , 1994 U.S. App. LEXIS 29186 (6th Cir. Mich. Oct. 14, 1994):** Summary judgment **should not ordinarily be granted before the completion of discovery, especially in cases involving constitutional and civil rights claims.** Trial Judge acknowledged PacMed's and Yoshida's arguments that Grant had filed a medical neglect case involving a constitutional civil rights discrimination claim **[RP 10 Ln 12 thru 11 Ln 10 November 9, 2012]**. Furthermore, Trial Judge cut Grant off when she tried to argue that State Medical health claims did not have "Exclusivity" as it pertains to healthcare discrimination **[RP 23 Ln 13 thru 27 Ln 11 November 9, 2012]**.

Grant's healthcare and civil rights legal complaints were not mutually exclusive. Respondents could have provided adequate treatment of Grant, harmed her, and violated her civil rights, thus leaving her civil rights mental health discrimination claims in both State and Federal courts. Counsel has not presented laws, rules, codes, statues, or any legal authority denying Grant the legal action that she has taken against the Respondents. Grant through her responsive pleadings was able to clarify

her complaint, but she was denied the right of Discovery investigation to fully make her claims.

F) **Was Grant, Pro Se litigant, given "due process of the law" when she was only allowed less than 30 days of "Discovery"?** Respondents argued Grant's case had been pending, when in reality her complaint was in its early stages. Grant filed her original complaint on June 15, 2012. Early July 2012, Respondents started making their appearances. Grant served Hori and Pulling twice. Hori filed his notice of appearance in the **King County courts on or about July 23, 2012.** Hori's reply contained his first set of Discovery requests that was mailed on or about **mailed his reply on or about August 7, 2012**. Hori requested Grant to admit she had no Expert Witness. **Putman v. Wenatchee Valley Med. Ctr.... 166 Wn.2d 974, 216 P.3d 374, 2009 Wash. LEXIS 754 (2009),** and her right of not filing a Certificate of Merit/Expert Witness Letter, until she had a period of Discovery. **She neither admitted nor denied not having an Expert Witness** when she returned her responses on or about **August 23, 2012, along with first discovery request.**

Hori and his Co-Respondents filed their Summary Judgment Motion on or about **September 12, 2012.** Respondent's replies to Grant's Discovery request reply were received on or about September 28, 2012, with the exception of Hori, PacMed, VMC, and Pulling. Respondents

Discovery replies were stalling responses requiring Grant to utilize other legal discovery investigation methods. Counselor(s) informed Grant that she could receive information, if she could survive their Summary Judgment Motions. Hori informed this said court that he did not mail Summary brief until October 9, 2012, which was received on or about October 11, 2012. On or about September 28, 2012, Grant received the Respondent's Summary Judgment Brief; therefore, allowing Grant approximately 12 not days Discovery with Hori, and 30 days with other Respondents. Grant pleaded the lack of Discovery to Trial Judge in her summary judgment replies **[CP 330-343, 104-136],** but was not verse enough with the judicial process to request continuances or extensions. In Good Faith answered to the best of her ability and sought "due process of the law" as a matter of law.

G) Was there ex – parte communication between Trial Judge and Respondent(s)? Grant stated in her Appellant Brief that unprofessional actions of the trial judge prompted her to file complaints, utilizing the courts chain of authority, because Trial Judge's actions and decorum was not sanction by the Judicial Cannons and other bodies of law. Grant has also brought forward to this said court questionable responses of the Chief and Presiding Judges, which raises other legal questions:

1) **Did Ex parte communication take place between Yoshida and other Respondent's with Trial Judge, prior or during Yoshida's non-oral summary judgment hearing on October 29, 2012?** Non-oral arguments are judicial reviews of the motions and pleadings. Grant stated in her original complaint that Pulling misrepresented anti-depressants (non-anatomical medication), as medication for smooth throat muscles (anatomical medication). Pulling defended her actions in response to Grant's Congressional complaint, stating Grant did not give her anatomical reasons to support her illness.

Yoshida argued government immunity. Grant cited **Santos v. United States, 559 F.3d 189,** therefore establishing her argument that Pulling did not have government immunity. Grant further provided argument that Pulling did not make it known to her that she was a state employee. In her pleadings, Grant informed Trial Judge that she made several efforts to serve Pulling and submitted medical prescriptions along with other evidence of genuine triable issues of fact **[CP 75-91]**.

Judge labeled Grant's case against Pulling as "**Frivolous**" based on his unclear understanding and inability to repeat a reference to water, which was his sole focus. Grant understood that her summary judgment pleadings were to be taken in conjunction with her complaint filed June 15, 2012. Trial Judge's writing was illegible; November 9, 2012 Grant

requested Judge to clarify his October 29, 2012 ruling. Trial Judge's response that Yoshida had informed the court of a dismissal raised the question of when did this conversation place. Yoshida, who was present, had not yet spoken before the court [RP 2 Ln 20 thru 3 Ln 15 November 9, 2012]. Additionally, Judge stated Pulling had been dismissed as far as he was concern, yet he checked on his summary ruling for Pulling, supported his **"Frivolous"** ruling, and smiled while signaling OK signs to Yoshida, while argumentatively informing Grant that she was the one that wrote about water.

Pulling and the other respondents was negligent in there duties as outlined in La Plante v. State , 85 Wn.2d 154, 531 P.2d 299, 1975 Wash. LEXIS 863 (1975): **Outside of Nguyen; Did Pulling, Hori, and the other Respondent's professional duties include the development of psychiatric medical treatment?** The mental health diagnoses were the bases for Grant's medical neglect, failure to treat, treatment denial and other healthcare complaints, before Trial Judge

These were the issues Grant brought before the Trial Judge, yet he rush to summary judgment in favor of Yoshida and Judge not having jurisdiction, by diverting Grant's argument of one about water Pulling not identifying herself to Grant. Pulling, a state medical professional, misrepresenting medication to a patient that she deemed mentally

incompetent is a **very serious complaint [RP 2 Ln 25 thru 3 Ln 15 November 9, 2012].**

Yet, Yoshida was present at the hearing; Judge was waving OK signals to him. Additionally, he allowed Yoshida to testify that Grant had a case in Federal Court, while the Judge signaled, waved, and mouth OK to Yoshida and other Respondents could not be recorded, in addition to tape erasers as raised in Grant's Appellant Brief.

Trial Judge's actions when taken together with his and Yoshida's actions on November 9, 2012, October 29, 2012 ruling of "Frivolous", Chief Judge's recusal and Presiding Judge striking Grant's complaint as a Motion; raises a serious and triable questions regarding ex parte communication with Trial Judge, with and/or behavior of the Respondents.

2) **Did Trial Judge also adhere to influences that caused Chief Judge's recusing himself from Grant's complaint?** Chief Judge wrote in his letter (Attachment Grant's Appeal Brief) that he had family who was employed at the law firm representing one of the Respondents. Judge's actions of biasness, rulings, and denial Grant of "due process of the law" as a matter of law, raising questions of influences by through personal and/or family relationships with the Trial Judge.

3) **Did Trial Judge violate the Judicial Cannons governing his codes of Conduct?** A De Novo Review of Grant's complaint from the filing her complaint (June 12, 2012) to Trial Judge's case terminations October 29, 2012, November 29, 2012, and March 22, 2012 raise question regarding rulings that disregarded State and Federal laws protecting the constitutional rights of Grant, Pro Se Litigant. Additionally, Judge White lacks the ability to respect the person of Grant, as an individual having a mental and behavioral health disability.

Judge White along with the King County courts failed to make it known their accommodate services for individuals with mental and behavioral health disability. Grant asked Trial Judge for ADA accommodations and he denied her request **[RP 27 Ln 14 thru 28 Ln 4 November 9, 2012]**.

A De novo review can address the question if Trial Judge was biased and have a preconceive objective to dispose of Grant's complaint, through a rush to summary judgment as requested by Counsel, causing him to disregard courtroom standard operating procedures to bypass court recordings and the requirements of professional decorum. Therefore denying Grant constitutional protection of the law, which he was elected and swore to uphold.

H) **Was Trial Judge Biased? Does his actions warrant Grant a Review and Trial De Novo and "due process of the law' as a matter of law, without retaliation?** Trail Judge grossly fail to apply any of the laws protecting the rights Grant, Pro Se Litigant as she has previously argued:

Picking v. Pennsylvania Railway, (151 F2d. 240) Third Circuit Court of Appeals. In Picking, the plaintiffs civil rights was 150 pages and described by a federal judge as "inept." Nevertheless, it was held: Where a plaintiff pleads pro-se in a suit for protection of civil rights, the court should endeavor to construe plaintiffs pleading without regard to technicalities. In Walter Process Equipment v. Food Machinery 382 U.S. 172 (1965) it was held that in a "motion to dismiss, the material allegations of the complaint are taken as admitted." From this vantage point, courts are reluctant to dismiss complaints unless it appears the plaintiff can prove no set of facts in support of his claim which would entitle him to relief (see Conlev vs. Gibson , 355 U.S. 41(1957). In Puckett v. Cox , it was held that a pro-se complaint requires a less stringent reading than one drafted by a lawyer (456 F2d 233 (1972 Sixth Circuit USCA) said Justice Black in Conley v. Gibson . 355 U.S. 41 at 48(1957) "The Federal Rules rejects the approach that pleading is a game of skill in which one misstep by counsel may be decisive to the outcome and accept the principle that the purpose of pleading is to facilitate a proper decision on the merits." According to rule 8(f) FRCP all pleadings shall be construed to do substantial justice." It could also be argued that to dismiss a civil rights action or other lawsuit in which a serious factual pattern or allegation of a cause of action has been made would itself be violate of procedural due process as it would deprive a pro-se litigant of equal protection of the law verses a party who is represented by counsel. In a fair system, victory should go to a party who has the better case, not the party with better representation.

I) **Did Trial Judge abuse his Judicial Discretion?** Responding to six skilled Attorney's with less than 30-days Discovery is a daunting task for an expert Attorney counsel, it is over whelming for a Pro Se Litigant, with no legal court and judicial knowledge.

Grant met the U.S. Supreme Courts 2007 stricter standards of **Conley v. Gibson, 355 U.S. 41 at 48 (1957)**, whereas, Grant presented facts that Respondents could not prove beyond doubt that she could prove "no set of genuine triable facts". Additionally, Grant presented enough information at the time of Summary Judgment hearings that she could persuade a reasonable prudent person and jury to rule in her behalf. Furthermore, although Grant during her hearings stuttered and stumbled through her legal information, yet she did defend her rights, while justice was being was denied by Trial Judge, who ruled against her with prejudice.

Trial Judge, an elected official, grossly abused his discretion by purposely and knowingly making physical gestures and other non-verbal communication action with counsel to circumvent court recordings. Grant will continue to protest the Trial Judge's lack of professionalism and courtroom decorum, until she obtains "due process of the law" and justice for the harm she suffered while under the care to the Respondents.

J) Do Certificates of Merit and Expert Witness letters service the same purpose? The underline purpose of these two documents verifies case merit, by a medical expert regarding the evidence and issues pertain to healthcare. **Putman v. Wenatchee Valley Med. Ctr.... 166 Wn.2d 974, 216 P.3d 374, 2009 Wash. LEXIS 754 (2009)** ruled the Certificate of Merit as unconstitutional without allowing an individual Discovery

investigations. Court rulings stated it was unconstitutional for an individual to be required to obtain costly expert witness testimony without the benefit of an adequate discovery investigation.

Grant, a 100% disable Veteran living on a fixed income, incurred a great deal of expense to obtain her Expert Testimony Letter, for a Summary Judgment hearing without the benefit of Discovery investigation and "due process of the law", as a matter of law. The ambiguity of these documents and the actions of Trial Judge is unconstitutional. Grant's legal payments and adhering to the complicated judicial system, entitled her the right to have her complaint read. Grant is entitled to self-represent and be heard in the presence of professional legal authority that ensures she is granted "due process of the law" of as a matter of law. Trial Judge's rulings, behavior, and dual use and misapplication of these two documents violated Grant's constitutional rights.

K) Was Trial Judges Denial of Continuance by ruling with prejudice an action of biasness? Trial Judge dismissing Grant's case with prejudice, based on technicalities to support the request of the Respondent's, who are allowed to submitted pre-hearing court orders that the Judge blankly signed, thus establishing a practice to meet with orders as written verses ruling based on a fair hearing. Respondent's rush to summary judgment with hearings on October 29, 2012 and November 9,

2012, raises the questions of biasness, during trial because Grant requested Discovery investigation at the time of hearing. Trial Judge rushed to judgment.

III. CONCLUSION.

Grant asks this said court not to marginalize her complaint, or the nature of her medical malpractice case as presented before the trial judge. Trial Judge's "rush to summary judgment", actions and rulings if allowed to stand would be a travesty of justice. Grant, due to the stigma of mental health discrimination nature of her complaint, gave her no other alternative but to appear unrepresented to protect her civil rights, and seek justice against the Respondents. She acted with "Good Faith" to the best of her abilities, trusting that the trial judge would also act honor his judicial duties in "Good Faith" grant her "due process of the law".

Grant's Appeal Brief, Clerks Papers, and Report of the Proceedings when taken together with this Reply to the Respondents, presents arguments entitling her of a ruling in her favor as a matter of law.

Grant continues to ask this said court to: 1) Review her case with her medical information submitted to this court prior to the submission of her Appellant Brief, 2) Not to marginalize or ignore her complaint, 3) Grant her a Review and Trial De Novo, 4) Recognize that two separate and distinct causes of legal actions arose from her healthcare complaint, 5)

Grant her Discovery investigation for case preparation, 6) Grant her another Trial Judge without retaliation, and 7) Refund of her all Appeal costs.

Respectfully submitted this 6th day of December 2013.

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CERTIFICATE 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 the date indicated below, I have sent Appellant's Reply to Respondents as follows:

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