

RECEIVED
SUPREME COURT
STATE OF WASHINGTON
Feb 04, 2015, 3:35 pm
BY RONALD R. CARPENTER
CLERK

Cause No. 91078-2

IN THE SUPREME COURT
OF THE STATE OF WASHINGTON

E CRF
RECEIVED BY E-MAIL

In re the Domestic Partnership of:

JEAN M. WALSH,

Petitioner,

and

KATHRYN L. REYNOLDS,

Respondent.

PETITIONER'S RESPONSE TO MOTION TO STRIKE

SMITH ALLING, P.S.

Barbara A. Henderson,
WSBA #16175
Morgan K. Edrington,
WSBA #46388
Attorneys for Petitioner

1501 Dock Street
Tacoma, Washington 98402
Telephone: (253) 627-1091
Facsimile: (253) 627-0123

A. Responding Party

Petitioner Jean Walsh requests this Court to deny Respondent's Motion to Strike Petitioner's Reply in Support of Petition for Review.

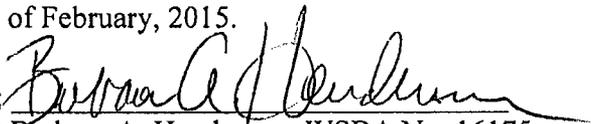
B. Argument in Response to Motion

Petitioner replied to new issues raised by Respondent's brief. Namely, in reply to Respondent's request for attorney's fees, Petitioner asked this Court to deny the request. Respondent also raised a new issue relating to the equity relationship doctrine not raised in the Petition for Review. The Reply addressed issues relating to the interplay between the *Creasman* presumption, the equitable relationship doctrine, and property rights raised in Respondent's Answer. The Reply also highlighted factual inaccuracies in the Answer unsupported by the record.

Under RAP 13.4(d), a reply was proper. This Court is respectfully requested to deny the Motion to Strike and to consider Petitioner's Reply in consideration of the Petition for Review.

Dated this 4th day of February, 2015.

By:



Barbara A. Henderson, WSBA No. 16175

Morgan K. Edrington, WSBA No. 46388

Attorneys for Petitioner

1501 Dock Street

Tacoma, WA 98402

253-627-1091 (telephone); 253-627-0123 (fax)

bhenderson@smithalling.com

CERTIFICATE OF SERVICE

I hereby certify that I have this 4 day of February, 2015, caused the document to which this Certificate is attached to be e-filed with the Clerk of the Supreme Court of the State of Washington (supreme@courts.wa.gov), and served upon counsel of record via the methods noted below:

Counsel for Respondent:

Catherine Wright Smith	<input type="checkbox"/>	Hand Delivery
Valerie A. Villacin	<input type="checkbox"/>	U.S. Mail
Smith Goodfriend PS	<input checked="" type="checkbox"/>	ABC Legal Messengers
1619 8th Avenue North	<input type="checkbox"/>	Facsimile
Seattle, WA 98109-3007	<input checked="" type="checkbox"/>	Email
cate@washingtonappeals.com		
valerie@washingtonappeals.com	<input type="checkbox"/>	

Counsel for Respondent:

Ms. Jan M. Dyer	<input type="checkbox"/>	Hand Delivery
Attorney at Law	<input type="checkbox"/>	U.S. Mail
503 12th Ave. E.	<input checked="" type="checkbox"/>	ABC Legal Messengers
Seattle, WA 98102-5103	<input type="checkbox"/>	Facsimile
jan@jandyerlaw.com	<input checked="" type="checkbox"/>	Email

I declare under penalty of perjury under the laws of the State of Washington that the I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED this 4 day of February, 2015, at Tacoma, Washington.



Lisa Schrader, Legal Assistant

OFFICE RECEPTIONIST, CLERK

To: Lisa Schrader
Subject: RE: Walsh/Reynolds: Case No. 91078-2

Received 2-4-15

From: Lisa Schrader [mailto:lisa@smithalling.com]
Sent: Wednesday, February 04, 2015 3:34 PM
To: OFFICE RECEPTIONIST, CLERK
Cc: cate@washingtonappeals.com; valerie@washingtonappeals.com; jan@jandyerlaw.com; Barbara Henderson; Morgan Edrington
Subject: Walsh/Reynolds: Case No. 91078-2

Clerk,

Attached please find Petitioners Response to Motion to Strike to be filed for the above-matter.

Sincerely,

LISA N. SCHRADER
Legal Assistant to Barbara A. Henderson

Smith Alling, P.S.
1501 Dock Street
Tacoma, WA 98402
p: (253) 627-1091 ext. 103
F: (253) 627-0123
Lisa@smithalling.com

CONFIDENTIAL INFORMATION. THE INFORMATION CONTAINED IN THIS TRANSMISSION MAY CONTAIN PRIVILEGED AND CONFIDENTIAL INFORMATION. IT IS INTENDED ONLY FOR THE USE OF THE PERSON(S) EXPLICITLY NAMED ABOVE. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR DUPLICATION OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU ARE NOT THE INTENDED RECIPIENT, PLEASE CONTACT THE SENDER BY REPLY EMAIL AND DESTROY ALL COPIES OF THE ORIGINAL MESSAGE, INCLUDING ELECTRONIC AND HARDCOPY.