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STATE OF WASHINGTON
Dec 10, 2015, 11:47 am
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SUPREME COURT NO. 92487-2
COURT OF APPEALS NO. 46333-4-II

IN THE SUPREME COURT
OF THE STATE OF WASHINGTON

FRANCES DU JU,

Petitioner,

v.

JPMORGAN CHASE BANK, N.A. and BISHOP, MARSHALL &
WEIBEL, P.S.,

Respondents.

DECLARATION OF BARBARA L. BOLLERO IN RESPONSE
TO DECLARATION OF FRANCES DU JU IN SUPPORT OF
PETITIONER'S REPLY TO ANSWERS TO PETITION FOR REVIEW

Ann T. Marshall, WSBA No. 23533
Barbara L. Bollero, WSBA No. 28906
MARSHALL & WEIBEL, P.S.
720 Olive Way, Suite 1201
Seattle, Washington 98101-1801
(206) 622-5306, Exts. 5915 and 5918
amarshall@bwmlegal.com
bbollero@bwmlegal.com

 ORIGINAL

I, Barbara L. Bollero, declare and state as follows:

1. I am an attorney at law duly licensed to practice before all the Courts of the State of Washington, and am one of the attorneys of record in this matter representing Respondent Bishop, Marshall & Weibel, P.S. f/k/a Bishop, White, Marshall & Weibel, P.S. (“Bishop”). I have personal knowledge of the facts attested in this Declaration, and if called to testify believe that I could and would competently do so.

2. I make this Declaration in response to certain representations made in the Declaration of Frances Du Ju in Support of Petitioner’s Reply to Answers to Petition for Review filed herein, which I received on December 8, 2015 (the “Ju Declaration”).

3. Ms. Ju’s Declaration fails to inform the Court that after she inquired of me concerning the whereabouts of Bishop’s Answer to her Petition for Review filed and mailed to her on December 2, 2015 (“Bishop’s Answer”), I forwarded her a copy of the brief via email on December 3, 2015. That email also attached a copy of our firm’s email submission of Bishop’s Answer to this Court, to which another copy of that brief was attached, along with this Court’s email acknowledgement of receipt. A true and correct copy of my email communication to Ms. Ju showing the three attachments is attached hereto, marked as Exhibit A.

4. Ms. Ju’s Declaration claims she emailed me on December 3, 2015, requesting I confirm that “the two PDF files of Bishop’s Answer were completely the same[,]” and that I did not respond to that email. [Ju Declaration, pp. 2-3, ¶ 2.c.] That purported email to me is attached as the last page of Exhibit

D, page 10, to the Ju Declaration (the "Confirmation Email").

5. I never received the Confirmation Email. The Confirmation Email attached to Ms. Ju's Declaration shows that it was purportedly also addressed to two other attorneys and an assistant in our firm, David Weibel, Ann Marshall, and Tammie Burt. I emailed each of them on December 9, 2015, asking whether they had received the Confirmation Email. Ms. Marshall and Ms. Burt responded that they had not, but Mr. Weibel informed me that day that he had received the Confirmation Email.

6. Had I received Ms. Ju's Confirmation Email, I would have promptly responded that of course both versions of Bishop's Answer which I sent to her on December 3, 2015, were identical.

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

Dated this 10th day of December, 2015, at Seattle, Washington.

/s/ Barbara L. Bollero
Barbara L. Bollero, WSBA No. 28906

DECLARATION OF SERVICE

I, Barbara L. Bollero, upon oath and duly sworn, states the following is true and correct:

On December 10, 2015 I caused to be delivered in the U. S. Postal Service, the foregoing Declaration of Barbara L. Bollero in Response to Declaration of Frances Du Ju in Support of Petitioner's Reply to Answers to Petition for Review addressed to the following parties:

Frances Du Ju
P.O. Box 5934
Vancouver, WA 98668

Herbert H. Ray, Jr.
Keesal, Young & Logan
1300 Fifth Avenue, Suite 3300
Seattle, WA 98101

DATED this 10th day of December, 2015, at Seattle, Washington.

s/ Barbara L. Bollero
Barbara L. Bollero, WSBA No. 28906

EXHIBIT A

Barbara Bollero

From: Barbara Bollero
Sent: Thursday, December 03, 2015 8:43 AM
To: 'Frances Ju'; Dave Weibel
Cc: Tammie Burt; Ann Marshall
Subject: RE: Settlement Demand 12/2/15
Attachments: Answer to Petition for Review.FINAL.12-2-2015.pdf; No. 92487-2 filing submission; RE: No. 92487-2 filing submission

Ms. Ju –

Our brief was timely filed and served. Another copy is attached.

Regards,
Barb

Barbara L. Bollero | Attorney



Marshall & Weibel, P.S.

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Telephone (206)622-5306 | Ext.5918 | Fax (206)-622-0354
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From: Frances Ju [<mailto:frances3688@gmail.com>]
Sent: Wednesday, December 02, 2015 5:16 PM
To: Dave Weibel; Barbara Bollero
Cc: Tammie Burt; Ann Marshall
Subject: Settlement Demand 12/2/15

Hi Mr. Weibel and Ms. Bollero,

It seemed that you did not file your Answer to my Petition for Review and serve me a copy before the closing time of the Supreme Court. I am sending you my settlement offer. I sincerely ask you to review this good faith settlement demand, and take the offer to reach an amicable resolution with me and to recover your damages from Mr. O'Neill.

This settlement demand will remain open until 5:00 p.m. on Monday, December 7, 2015. If you and your firm would take this settlement offer, you must inform me by e-mail before 5:00 p.m., December 7, 2015. I hope to hear from you very soon.

Best regards,
Frances D. Ju

OFFICE RECEPTIONIST, CLERK

To: Tammie Burt
Cc: Barbara Bollero
Subject: RE: No. 92487-2 filing submission

Received on 12-10-2015

Supreme Court Clerk's Office

Please note that any pleading filed as an attachment to e-mail will be treated as the original. Therefore, if a filing is by e-mail attachment, it is not necessary to mail to the court the original of the document.

From: Tammie Burt [mailto:tburt@bwmlegal.com]
Sent: Thursday, December 10, 2015 11:47 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Cc: Barbara Bollero <bbollero@bwmlegal.com>
Subject: No. 92487-2 filing submission

Frances Du Ju v. JPMorgan Chase Bank, N.A. and Bishop, Marshall & Weibel, P.S.
Supreme Court No. 92487-2
Court of Appeals No. 46333-4-II

Declaration of Barbara L. Bollero in Response to Declaration of Frances Due Ju in Support of Petitioner's Reply to Answers to Petition for Review,

by Respondent Bishop, Marshall & Weibel, P.S. filed by:

Barbara L. Bollero
(206) 622-5306
WSBA #28906
bbollero@bwmlegal.com

Tammie Burt | Legal Assistant



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Telephone (206)622-5306 | Ext.5919 | Fax (206)-622-0354
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