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**Subject:** FW: Comments on RPC 1.4 Insurance Disclosure  
**Date:** Friday, April 30, 2021 3:51:20 PM  
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**From:** Cynthia Canfield [mailto:cincanfield@gmail.com]  
**Sent:** Friday, April 30, 2021 3:51 PM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** Comments on RPC 1.4 Insurance Disclosure  
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Washington Supreme Court,

I wish for the following to be included in **Comments on RPC 1.4**

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My husband Gary Canfield, my brother Roger Cemper, and I, Cynthia Canfield, were all victims of an attorney who did not have malpractice insurance. Janet Irons, WSBA 12687, had been working on 3 cases for us simultaneously, or so we thought. At least 2 of the 3 cases most certainly would have brought some small amount of justice to our families but due to Janet Iron's malpractice, there was NO JUSTICE for any of us.

We definitely **OPPOSE RPC 1.4** and we **AFFIRM APR 26**

**Case 1 – Gary Canfield Personal Injury Accident Feb 23, 2012 - Accident Report No. E155614**

This one was extremely upsetting to my husband as it most certainly would have provided my husband with the necessary compensation for his back injury, loss of personal time and work and loss of his brand new "totaled" vehicle. Janet first offered up friendly advice beginning April 2013. In Nov-Dec 2014, upon Janet's advice, we decided to file the law suit, so Gary signed a contract with Janet in her office without her ever providing Gary a copy of that contract. After 2 years of Janet telling us the insurance company was again, requesting updates of Gary's medical records, them wanting an IME, her telling us there was a court date and then it got slid, we actually found out that Janet never filed the lawsuit! All were extravagant lies from Janet.

**Case 2 - Coroner/Mortuary – Case No: 14-2-00322-8**

My father passed away late on Friday night, Oct 28<sup>th</sup>, 2011 in Raymond, Wa. We received a call from a friend in Raymond that one of dad's neighbors was living in dad's log home and it was somewhat suspicious. Gary, Roger and I went to Raymond on Monday, Oct 31<sup>st</sup> at the request of the assistant coroner. We met with her, then with the mortuary. The assistant coroner tried to talk us into requesting and paying for an autopsy which seemed suspicious. Then the mortuary insisted we sign

cremation orders. We refused to sign the orders and insisted the mortuary bury dad in the local cemetery, per their policy, and under no circumstances should he be cremated. During these meetings, we found out that a neighbor of dad's (Hurley) claimed he had been caring for dad. Dad was very ill, in a lot of pain, and depressed, often crying during my phone calls with him. Hurley got dad's attorney, Elizabeth Penoyar to revise dad's will while on his death bed the day before dad passed away.

We refused the cremation for several reasons, we're Catholic, dad did not leave any official after-death instructions, and with all the growing suspicions, we wanted the option to have an autopsy if it came to that.

A few weeks later, I called Penoyar (dad's attorney who immediately became Hurley's attorney) to ask about getting our family bible, rosaries and the family crucifix. She said she still didn't have our items but then she said dad was sitting in her office. Shocked, I asked what she meant. She said his remains were on her shelf and she wanted to know what to do with them.

We found out the chief coroner had signed cremation paperwork on Oct 31<sup>st</sup>, the day we were there, and dad was transferred to the Aberdeen crematorium on Nov 1<sup>st</sup>.

After several years of Janet telling us there was financial reassignments, etc. going on at the mortuary, and court date slides, Janet finally just dropped off 4 large boxes of paperwork for us to go through and figure out what was really going on (Jan 2017). After my brother received a court date in the mail for this case we immediately contacted another attorney. He immediately determined we were not going to win this case due to Janet's negligence in how she incorrectly filed the entire lawsuit.

Our new attorney and their attorney filed their briefs and it was clear they were using exactly what our attorney stated. Roger, Gary and I went to court, I played attorney and argued several points successfully except that one big issue that we lost on. The judge actually said we had a good case but unfortunately we had a negligent attorney who filed the whole suit incorrectly.

### **Case 3 – Elizabeth Penoyar Malpractice – Case No. 13-2-00354-8 / Appellate Court Acceptance Case #: 70509-9-1**

Dad's neighbor, Hurley would not allow us on my dad's property, or give us our family bible, rosaries, and a family crucifix. After knowing that Hurley manipulated our father (witnesses), left our father to just lie in bed, in pain for days (Toxicology Report), we decided to file a Will Contest. Our main goal was to keep Hurley from getting dad's log home. Long story short, we settled on the 2<sup>nd</sup> day of trial in Jan 2013 (CR2a). Since Penoyar wouldn't meet with dad's family because she claimed she was now representing Hurley (until Janet got her recused due to conflict of interest), and after witnessing some foul play, and small town corruption, we filed the malpractice against Penoyar

Judge Tabor found mostly in our favor on the first 2 Summary Judgements but the 3<sup>rd</sup> one Tabor did 180 turn-around and sounded like a completely different judge! At this point we were going to walk away but Janet was so shocked at the obvious foul play that she wanted to appeal and she suggested the contingent agreement. The case was accepted by the Appellate court in 2015.

Again, for several years, Janet would tell us very elaborate lies about the Appeal. Since 2015, she had told me she filed the Appellate brief that was required and sent me a copy but it must have gotten lost by USPS. She actually gave us specific dates for the Appellate 3 judge panel hearing and then when it would get close she would say it had to slide. She would give us the explanations and instructions how the Appellate court worked and what, if anything would be expected of us.

In all those boxes that Janet delivered to us in Jan 2017, I found the filing from Penoyar's attorney No. 72894-6-1, stating that Janet had failed to file the designation of clerk's papers within the 30 day allotment. Case was dropped due to her malpractice.

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*Thank you,  
Cynthia Canfield*

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