

EXHIBIT A

FILED

15 AUG 20 PM 3:59

KING COUNTY
SUPERIOR COURT CLERK
E-FILED
CASE NUMBER: 15-2-20483-1 SEA

SUPERIOR COURT OF WASHINGTON
COUNTY OF KING

NEIGHBORS, ET AL.

NO. 15-2-20483-1 SEA

VS

CASE INFORMATION COVER SHEET
AND AREA DESIGNATION

KING COUNTY

CAUSE OF ACTION

(QTI) - QUIET TITLE (QTI 2)

AREA DESIGNATION

SEATTLE - Defined as all King County north of Interstate 90 and including all of Interstate 90 right of way, all of the cities of Seattle, Mercer Island, Issaquah, and North Bend, and all of Vashon and Maury Islands.

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KING COUNTY
SUPERIOR COURT CLERK
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CASE NUMBER: 15-2-20483-1 SEA

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SUPERIOR COURT OF WASHINGTON
FOR KING COUNTY

TRACY NEIGHBORS and BARBARA
NEIGHBORS; ARUL MENEZES and LUCRETIA
VANDERWENDE; LAKE SAMMAMISH 4257
LLC; HERBERT MOORE and ELYNNE MOORE;
TED DAVIS and ELAINE DAVIS; REID BROWN
and TERESA BROWN; SHAWN HUARTE and
TRINA HUARTE; ANNETTE MCNABB; EUGENE
MOREL and ELIZABETH MOREL; VOLKER
ELSTE and GAIL UREEL; JOHN R. WARD AND
JOANNA WARD, AS CO-TRUSTEES OF THE
WARD HALES LIVING TRUST; YORK HUTTON;
L. LARS KNUDSEN and LISE SHDO,

Plaintiffs,

vs.

KING COUNTY, a municipal corporation and
political subdivision of the State of Washington,

Defendant.

Cause No.:

COMPLAINT FOR
DECLARATORY RELIEF AND TO
QUIET TITLE

COME NOW Plaintiffs Tracy Neighbors and Barbara Neighbors, Arul Menezes and
Lucretia Vanderwende, Lake Sammamish 4257 LLC, Herbert Moore and Elynne Moore, Ted
Davis and Elaine Davis, Reid Brown and Teresa Brown, Shawn Huarte and Trina Huarte,
Annette McNabb, Eugene Morel and Elizabeth Morel, Volker Elste and Gail Ureel, John R.

COMPLAINT FOR DECLARATORY RELIEF AND TO
QUIET TITLE - 1

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Hanson Baker Ludlow Drumheller P.S.
2229 112th Avenue NE, Suite 200
Bellevue, WA 98004
(425) 454-3374

1 Ward and Joanna Ward, as Co-Trustees of the Ward Hales Living Trust, York Hutton, and L.
2 Lars Knudsen and Lise Shdo (collectively "Plaintiffs"), pursuant to the Revised Code of
3 Washington § 7.28.010, *et seq.*, and § 7.24.010, *et. seq.*, and allege as follows:

4 THE PARTIES

5 1. Plaintiffs Tracy and Barbara Neighbors are husband and wife and are residents of
6 King County, Washington who own land adjacent to both sides of a former railroad right of way
7 which is now the site of a recreational trail known as the East Lake Sammamish Trail ("ELST").
8 Tracy and Barbara Neighbors' property, King County Tax Parcel No. 072406-9006, includes the
9 fee title, which encompasses all surface, subsurface, and aerial rights, to all of their property to
10 the edges of the ELST.

11 2. Plaintiffs Arul Menezes and Lucretia Vanderwende are residents of King County,
12 Washington who own land adjacent to both sides of the ELST. Arul Menezes and Lucretia
13 Vanderwende's property, King County Tax Parcel No. 072406-9024, includes the fee title, which
14 encompasses all surface, subsurface, and aerial rights, to all their property to the edges of the
15 ELST.

16 3. Plaintiff Lake Sammamish 4257 LLC is a Washington limited liability company
17 duly licensed and existing under and by virtue of the laws of the state of Washington. Lake
18 Sammamish 4257 LLC owns land adjacent to one side of the ELST. Lake Sammamish 4257
19 LLC's property, King County Tax Parcel No. 172406-9079, includes the fee title, which
20 encompasses all surface, subsurface, and aerial rights, to all its property to the edge of the ELST.

21 4. Plaintiffs Herbert Carvel and Elynne Moore are husband and wife and are
22 residents of King County, Washington who own land adjacent to the ELST. Herbert Moore and

COMPLAINT FOR DECLARATORY RELIEF AND TO
QUIET TITLE - 2

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HB
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1 Elynn Moore's property, King County Tax Parcel No. 172406- 9077, includes the fee title,
2 which encompasses all surface, subsurface, and aerial rights, to all their property to the edge of
3 the ELST.

4 5. Plaintiffs Ted R. and Elaine M. Davis are husband and wife and are residents of
5 King County, Washington who own land adjacent to both sides of the ELST. Ted R. and Elaine
6 M. Davis' property, King County Tax Parcel No. 072406-9020, includes the fee title, which
7 encompasses all surface, subsurface, and aerial rights, to all their property to the edges of the
8 ELST.

9 6. Plaintiffs Reid and Teresa Brown are husband and wife and are residents of King
10 County, Washington who own land adjacent to both sides of the ELST. Reid and Teresa
11 Brown's property, King County Tax Parcel No. 072406-9003, includes the fee title, which
12 encompasses all surface, subsurface, and aerial rights, to all their property to the edges of the
13 ELST.

14 7. Plaintiffs Shawn and Trina Huarte are husband and wife and are residents of King
15 County, Washington who own land adjacent to both sides of the ELST. Shawn and Trina
16 Huarte's property, King County Tax Parcel No. 072406- 9041, includes the fee title, which
17 encompasses all surface, subsurface, and aerial rights, to all their property to the edges of the
18 ELST.

19 8. Plaintiff Annette McNabb is a resident of King County, Washington who owns
20 land adjacent to both sides of the ELST. Annette McNabb's property, King County Tax Parcel
21 No. 072406-9030, includes the fee title, which encompasses all surface, subsurface, and aerial
22 rights, to all their property to the edges of the ELST.

COMPLAINT FOR DECLARATORY RELIEF AND TO
QUIET TITLE - 3

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Bellevue, WA 98004
(425) 454-3374

1 9. Plaintiffs Eugene and Elizabeth Morel are husband and wife and are residents of
2 King County, Washington who own land adjacent to both sides of the ELST. Eugene and
3 Elizabeth Morel's property, King County Tax Parcel Nos. 072406-9008 and 072406-9090,
4 include the fee title, which encompasses all surface, subsurface, and aerial rights, to all their
5 property to the edges of the ELST.

6 10. Plaintiffs Volker Elste and Gail Ureel are residents of King County, Washington
7 who own land adjacent to the ELST. Volker Elste and Gail Ureel's property, King County Tax
8 Parcel No.0724069057, includes the fee title, which encompasses all surface, subsurface, and
9 aerial rights, to all their property to the edge of the ELST.

10 11. Plaintiffs John R. Ward and Joanna Ward are the Co-Trustees of the Ward Hales
11 Living Trust (the "Ward Hales Trust") and are residents of King County, Washington. As Co-
12 Trustees of the Ward Hales Trust, John and Joanna Ward own land adjacent to the ELST. The
13 Ward Hales Trust property, King County Tax Parcel No. 072406-9023, includes the fee title,
14 which encompasses all surface, subsurface, and aerial rights, to all Trust property to the edges of
15 the ELST.

16 12. Plaintiff York Hutton is a resident of King County, Washington who owns land
17 adjacent to both sides of the ELST. York Hutton's property, King County Tax Parcel No.
18 4065100030, includes the fee title, which encompasses all surface, subsurface, and aerial rights,
19 to all his property to the edges of the ELST.

20 13. Plaintiffs L. Lars Knudsen and Lise Shdo are husband and wife and are residents
21 of King County, Washington who own land adjacent to the ELST. L. Lars Knudsen and Lise
22 Shdo's property, King County Tax Parcel No. 072406-9050, includes the fee title, which

1 encompasses all surface, subsurface, and aerial rights, to all their property to the edges of the
2 ELST.

3 14. Defendant King County ("Defendant") is a municipal corporation and political
4 subdivision of the State of Washington.

5 JURISDICTION AND VENUE

6 15. Pursuant to RCW 7.28.010 *et seq* and 7.24.010 *et seq* this Court has jurisdiction to
7 rule on the claims and defenses in this action.

8 16. Pursuant to RCW 4.12.010, venue is properly laid in this Court.

9 FACTS

10 17. For more than 100 years, various railroad companies operated trains over a
11 narrow, 12.45 mile long strip of property ("Right of Way") or ("ROW") adjacent to the east
12 shore of Lake Sammamish, in the cities of Issaquah, Sammamish and Redmond.

13 18. In a Quit Claim Deed recorded under King County Recording No. 9704290575
14 the then current operator of rail service, Burlington Northern & Santa Fe Railroad ("BNSF"),
15 quit claimed its interest in the ROW to Defendant and the Land Conservancy of Seattle, who
16 then conveyed their interest in the ROW to Defendant in a Quit Claim Deed recorded under King
17 County Recording No. 9809181252 ("Defendant's Quit Claim Deed").

18 19. Defendant has asserted control over the real property described in Defendant's
19 Quit Claim Deed and is allowing public use of portions of the former ROW as the ELST. Since
20 receiving its Quit Claim Deed Defendant has performed substantial construction within, and
21 made substantial changes to, the ROW. Defendant has now applied for permits to make more
22 substantial changes to the ROW abutting Plaintiffs' properties.

1 possession claims, Defendant should be restrained by Court Order from entering onto and
2 performing construction on the land abutting Plaintiffs' properties.

3 26. Plaintiffs are entitled to entry of a Declaratory Judgement declaring: (a) BNSF
4 never acquired recorded interests in the properties abutting Plaintiffs' properties; (b) Defendant
5 did not succeed to any previously recorded interests in the abutting properties when it accepted
6 Defendant's Quit Claim Deed; (c) Defendant and the public do not have any right to use or build
7 in the ROW adjacent to Plaintiffs' properties; (d) alternatively, Defendant and the public only
8 have a prescriptive easement to use the portions of the ROW between the margins of the former
9 railroad tracks, ties and ballast; (e) alternatively, Defendant and the public do not have any right
10 to use any portions of the ROW that have been adversely possessed by Plaintiffs.

11 CLAIM TO QUIET TITLE

12 27. Plaintiffs are also entitled to entry of an Order Quieting Title to their properties
13 that (a) approves modified legal descriptions for Plaintiffs' properties, which reflect the Court's
14 rulings on Plaintiffs' claims and defenses; (b) establishes the margins of the ELST; and (c)
15 extinguishes any interest Defendant might have in property outside the margins of the ELST.

16 WHEREFORE, Plaintiffs pray as follows:

- 17 1. For entry of the Orders granting the relief described in paragraphs 25, 26 and 27
18 above; and
19 2. Entry of an Order granting such other and further relief as the Court deems just
20 and equitable.

1 DATED this 20th day of August, 2015.

2 HANSON BAKER LUDLOW
3 DRUMHELLER P.S.

4
5 By: *John T. Ludlow*
6 JOHN T. LUDLOW
7 WSBA No. 7377
8 jludlow@hansonbaker.com
9 Attorneys for Plaintiffs
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COMPLAINT FOR DECLARATORY RELIEF AND TO
QUIET TITLE - 8

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SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

TRACY NEIGHBORS AND BARBARA)
NEIGHBORS; ARUL MENEZES AND)
LUCRETIA VANDERWENDE; LAKE)
SAMMAMISH 4257 LLC; HERBERT MOORE)
AND ELYNNE MOORE; TED DAVIS AND)
ELAINE DAVIS; REID BROWN AND TERESA)
BROWN; SHAWN HUARTE AND TRINA)
HUARTE; ANNETTE MCNABB; EUGENE)
MOREL AND ELIZABETH MOREL; VOLKER)
ELSTE AND GAIL UREEL; JOHN R. WARD)
AND JOANNA WARD, AS CO-TRUSTEES OF)
THE WARD HALES LIVING TRUST; YORK)
HUTTON; L. LARS KNUDSEN AND LISE)
SHDO,)

Plaintiffs,

v.

KING COUNTY, a municipal corporation and)
political subdivision of the State of Washington,)
Defendant.)

No. 15-2-20483-1 SEA

NOTICE OF APPEARANCE

TO: THE CLERK OF THE COURT

AND TO: Plaintiffs above named

AND TO: John T. Ludlow, attorney for Plaintiffs

YOU YOU AND EACH OF YOU will please take NOTICE that Senior Deputy
Prosecuting Attorneys David J. Hackett, H. Kevin Wright, Peter G Ramels and Andrew Marcuse,

1 hereby appear on behalf of defendant King County in the above-entitled action, without waiving
2 the question of:

- 3 1. Lack of jurisdiction over the subject matter;
- 4 2. Lack of jurisdiction over the person;
- 5 3. Improper venue;
- 6 4. Insufficiency of process;
- 7 5. Insufficiency of service of process;
- 8 6. Failure to state a claim upon which relief may be granted;
- 9 7. Failure to join a party under Rule 19; and
- 10 8. Statute(s) of limitation.

11 You are hereby further notified that all further papers and pleadings herein, except original
12 process, shall be served upon the undersigned attorneys at the address below stated.

13 Deliver to:

14 DAVID J. HACKETT
 15 H. KEVIN WRIGHT
 16 PETER G. RAMELS
 17 ANDREW MARCUSE
 18 CIVIL DIVISION
 19 500 4th Avenue
 20 King County Administration Building, Suite 900
 21 Seattle, Washington 98104-2316

22 Dated this 24th day of August, 2015.

23 DANIEL T. SATTERBERG
 King County Prosecuting Attorney

By: s/ David J. Hackett
 DAVID HACKETT, WSBA #21236
 Senior Deputy Prosecuting Attorney

By: s/ H. Kevin Wright
 H. KEVIN WRIGHT, WSBA #19121
 Senior Deputy Prosecuting Attorney

Daniel T. Satterberg, Prosecuting Attorney
 CIVIL DIVISION, Litigation Section
 900 King County Administration Building
 500 Fourth Avenue
 Seattle, Washington 98104
 (206) 296-0430 Fax (206) 296-8819

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By: s/ Peter G. Ramels
PETER G. RAMELS, WSBA #21120
Senior Deputy Prosecuting Attorney

By: s/ Andrew W. Marcuse
ANDREW W. MARCUSE, WSBA #27552
Senior Deputy Prosecuting Attorney

Attorneys for Defendant King County

King County Prosecuting Attorney's Office
500 Fourth Ave., 9th Floor
Seattle, WA. 98104
Telephone: (206) 296-8820 / Fax: (206) 296-8819

Email: david.hackett@kingcounty.gov
kevin.wright@kingcounty.gov
pete.ramels@kingcounty.gov
andrew.marcuse@kingcounty.gov

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DECLARATION OF FILING AND SERVICE

I hereby certify that on August 24, 2015, I electronically filed the foregoing document with the Clerk of the Court using the electronic filing system and sent a copy of the same with ABC Messenger Service to be delivered on August 25, 2015 no later than 4:30 p.m. to the following:

John T. Ludlow
Hanson Baker Ludlow Drumheller P.S.
2229 112th Avenue NE, Suite 200
Bellevue, WA 98004
(425) 454-3374
jludlow@hansonbaker.com

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

DATED this 24th day of August, 2015 at Seattle, Washington.

s/ Kris Bridgman
Kris Bridgman, Legal Secretary
King County Prosecuting Attorney's Office

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KING COUNTY
SUPERIOR COURT CLERK
E-FILED

CASE NUMBER: 15-2-20483-1 SEA

SUPERIOR COURT OF WASHINGTON
FOR KING COUNTY

TRACY NEIGHBORS and BARBARA
NEIGHBORS; ARUL MENEZES and LUCRETIA
VANDERWENDE; LAKE SAMMAMISH 4257
LLC; HERBERT MOORE and ELYNNE MOORE;
TED DAVIS and ELAINE DAVIS; REID BROWN
and TERESA BROWN; SHAWN HUARTE and
TRINA HUARTE; ANNETTE MCNABB;
EUGENE MOREL and ELIZABETH MOREL;
VOLKER ELSTE and GAIL UREEL; JOHN R.
WARD AND JOANNA WARD, AS CO-
TRUSTEES OF THE WARD HALES LIVING
TRUST; YORK HUTTON; L. LARS KNUDSEN
and LISE SHDO,

Plaintiffs,

vs.

KING COUNTY, a municipal corporation and
political subdivision of the State of Washington,

Defendant.

Cause No. 15-2-20483-1 SEA

NOTICE OF UNAVAILABILITY OF
COUNSEL

TO: THE CLERK OF THE COURT

PLEASE TAKE NOTICE that John T. Ludlow, the undersigned attorney of record for
Plaintiffs above named, will be out of his office beginning Monday, August 31, 2015, and shall be
returning to his office on Friday, September 4, 2015. During the aforementioned absence, said

NOTICE OF UNAVAILABILITY OF COUNSEL - 1

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HB
Hanson Baker Ludlow Drumheller P.S.
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(425) 454-3374

1 attorney shall not be available for any hearings, trials, motions or any other required Court
2 appearances, and shall additionally be unavailable actively to respond to any proposal or motions
3 that may be filed within said period of absence. It is requested that no motions or hearings be set
4 during this period of time, and that a minimum of one week be allowed to respond to or reply to
5 any matters following the undersigned's return.

6 DATED this 21st day of August, 2015.

7 HANSON BAKER LUDLOW
8 DRUMHELLER P.S.

9
10 By: John T. Ludlow
11 JOHN T. LUDLOW
12 WSBA No. 7377
13 jludlow@hansonbaker.com
14 Attorney for Plaintiffs
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FILED

15 AUG 20 PM 3:59

KING COUNTY
SUPERIOR COURT CLERK
E-FILED
CASE NUMBER: 15-2-20483-1 SEA

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

NEIGHBORS, ET AL.

Plaintiff(s),

vs.

KING COUNTY

Respondent(s)

NO. 15-2-20483-1 SEA

ORDER SETTING CIVIL CASE SCHEDULE

ASSIGNED JUDGE: Oishi, Patrick, Dept. 24

FILED DATE: 8/20/2015

TRIAL DATE: 8/15/2016

SCOMIS CODE: *ORSCS

A civil case has been filed in the King County Superior Court and will be managed by the Case Schedule on Page 3 as ordered by the King County Superior Court Presiding Judge.

I. NOTICES

NOTICE TO PLAINTIFF: The Plaintiff may serve a copy of this **Order Setting Case Schedule (Schedule)** on the Defendant(s) along with the **Summons and Complaint/Petition**. Otherwise, the Plaintiff shall serve the **Schedule** on the Defendant(s) within 10 days after the later of: (1) the filing of the **Summons and Complaint/Petition** or (2) service of the Defendant's first response to the **Complaint/Petition**, whether that response is a **Notice of Appearance**, a response, or a Civil Rule 12 (CR 12) motion. The **Schedule** may be served by regular mail, with proof of mailing to be filed promptly in the form required by Civil Rule 5 (CR 5).

"I understand that I am required to give a copy of these documents to all parties in this case."

PRINT NAME

SIGN NAME

I. NOTICES (continued)

NOTICE TO ALL PARTIES:

All attorneys and parties should make themselves familiar with the King County Local Rules [KCLCR] -- especially those referred to in this *Schedule*. In order to comply with the *Schedule*, it will be necessary for attorneys and parties to pursue their cases vigorously from the day the case is filed. For example, discovery must be undertaken promptly in order to comply with the deadlines for joining additional parties, claims, and defenses, for disclosing possible witnesses [See KCLCR 26], and for meeting the discovery cutoff date [See KCLCR 37(g)].

CROSSCLAIMS, COUNTERCLAIMS AND THIRD PARTY COMPLAINTS:

A filing fee of \$240 must be paid when any answer that includes additional claims is filed in an existing case.

KCLCR 4.2(a)(2)

A Confirmation of Joinder, Claims and Defenses or a Statement of Arbitrability must be filed by the deadline in the schedule. The court will review the confirmation of joinder document to determine if a hearing is required. If a Show Cause order is issued, all parties cited in the order must appear before their Chief Civil Judge.

PENDING DUE DATES CANCELED BY FILING PAPERS THAT RESOLVE THE CASE:

When a final decree, judgment, or order of dismissal of all parties and claims is filed with the Superior Court Clerk's Office, and a courtesy copy delivered to the assigned judge, all pending due dates in this *Schedule* are automatically canceled, including the scheduled Trial Date. It is the responsibility of the parties to 1) file such dispositive documents within 45 days of the resolution of the case, and 2) strike any pending motions by notifying the bailiff to the assigned judge.

Parties may also authorize the Superior Court to strike all pending due dates and the Trial Date by filing a *Notice of Settlement* pursuant to KCLCR 41, and forwarding a courtesy copy to the assigned judge. If a final decree, judgment or order of dismissal of all parties and claims is not filed by 45 days after a *Notice of Settlement*, the case may be dismissed with notice.

If you miss your scheduled Trial Date, the Superior Court Clerk is authorized by KCLCR 41(b)(2)(A) to present an *Order of Dismissal*, without notice, for failure to appear at the scheduled Trial Date.

NOTICES OF APPEARANCE OR WITHDRAWAL AND ADDRESS CHANGES:

All parties to this action must keep the court informed of their addresses. When a Notice of Appearance/Withdrawal or Notice of Change of Address is filed with the Superior Court Clerk's Office, parties must provide the assigned judge with a courtesy copy.

ARBITRATION FILING AND TRIAL DE NOVO POST ARBITRATION FEE:

A Statement of Arbitrability must be filed by the deadline on the schedule **if the case is subject to mandatory arbitration** and service of the original complaint and all answers to claims, counterclaims and cross-claims have been filed. If mandatory arbitration is required after the deadline, parties must obtain an order from the assigned judge transferring the case to arbitration. **Any party filing a Statement must pay a \$220 arbitration fee.** If a party seeks a trial de novo when an arbitration award is appealed, a fee of \$250 and the request for trial de novo must be filed with the Clerk's Office Cashiers.

NOTICE OF NON-COMPLIANCE FEES:

All parties will be assessed a fee authorized by King County Code 4A.630.020 whenever the Superior Court Clerk must send notice of non-compliance of schedule requirements and/or Local Civil Rule 41.

King County Local Rules are available for viewing at www.kingcounty.gov/courts/clerk.

II. CASE SCHEDULE

√	CASE EVENTS	DATE
	Case Filed and Schedule Issued.	8/20/2015
√	Last Day for Filing Statement of Arbitrability without a Showing of Good Cause for Late Filing [See KCLMAR2.1(a) and Notices on page 2]. \$220 Arbitration fee must be paid	1/28/2016
√	DEADLINE to file Confirmation of Joinder if not subject to Arbitration [See KCLCR 4.2(a) and Notices on page 2]	1/28/2016
	DEADLINE for Hearing Motions to Change Case Assignment Area [KCLCR 82(e)]	2/11/2016
	DEADLINE for Disclosure of Possible Primary Witnesses [See KCLCR 26(b)]	3/14/2016
	DEADLINE for Disclosure of Possible Additional Witnesses [KCLCR 26(b)]	4/25/2016
	DEADLINE for Jury Demand [See KCLCR 38(b)(2)]	5/9/2016
	DEADLINE for Change in Trial Date [See KCLCR 40(e)(2)]	5/9/2016
	DEADLINE for Discovery Cutoff [See KCLCR 37(g)]	6/27/2016
	DEADLINE for Engaging in Alternative Dispute Resolution [See KCLCR16(b)]	7/18/2016
	DEADLINE for Exchange Witness & Exhibit Lists & Documentary Exhibits [See KCLCR 4(j)]	7/25/2016
√	DEADLINE to file Joint Confirmation of Trial Readiness [See KCLCR 16(a)(1)]	7/25/2016
	DEADLINE for Hearing Dispositive Pretrial Motions [See KCLCR 56;CR56]	8/1/2016
√	Joint Statement of Evidence [See KCLCR 4(k)]	8/8/2016
	DEADLINE for filing Trial Briefs, Proposed Findings of Fact and Conclusions of Law and Jury Instructions (Do not file proposed Findings of Fact and Conclusion of Law with the Clerk)	8/8/2016
	Trial Date [See KCLCR 40]	8/15/2016

The √ indicates a document that must be filed with the Superior Court Clerk's Office by the date shown.

III. ORDER

Pursuant to King County Local Rule 4 [KCLCR 4], IT IS ORDERED that the parties shall comply with the schedule listed above. Penalties, including but not limited to sanctions set forth in Local Rule 4(g) and Rule 37 of the Superior Court Civil Rules, may be imposed for non-compliance. It is FURTHER ORDERED that the party filing this action **must** serve this *Order Setting Civil Case Schedule* and attachment on all other parties.



DATED: 8/20/2015

PRESIDING JUDGE

IV. ORDER ON CIVIL PROCEEDINGS FOR ASSIGNMENT TO JUDGE

READ THIS ORDER BEFORE CONTACTING YOUR ASSIGNED JUDGE.

This case is assigned to the Superior Court Judge whose name appears in the caption of this case schedule. The assigned Superior Court Judge will preside over and manage this case for all pretrial matters.

COMPLEX LITIGATION: If you anticipate an unusually complex or lengthy trial, please notify the assigned court as soon as possible.

APPLICABLE RULES: Except as specifically modified below, all the provisions of King County Local Civil Rules 4 through 26 shall apply to the processing of civil cases before Superior Court Judges. The local civil rules can be found at <http://www.kingcounty.gov/courts/superiorcourt/civil.aspx>.

CASE SCHEDULE AND REQUIREMENTS: Deadlines are set by the case schedule, issued pursuant to Local Civil Rule 4.

THE PARTIES ARE RESPONSIBLE FOR KNOWING AND COMPLYING WITH ALL DEADLINES IMPOSED BY THE COURT'S LOCAL CIVIL RULES.

A. Joint Confirmation regarding Trial Readiness Report:

No later than twenty one (21) days before the trial date, parties shall complete and file (with a copy to the assigned judge) a joint confirmation report setting forth whether a jury demand has been filed, the expected duration of the trial, whether a settlement conference has been held, and special problems and needs (e.g. interpreters, equipment, etc.).

The form is available at <http://www.kingcounty.gov/courts/superiorcourt.aspx>. If parties wish to request a CR 16 conference, they must contact the assigned court. Plaintiff's/petitioner's counsel is responsible for contacting the other parties regarding said report.

B. Settlement/Mediation/ADR

a. Forty five (45) days before the trial date, counsel for plaintiff/petitioner shall submit a written settlement demand. Ten (10) days after receiving plaintiff's/petitioner's written demand, counsel for defendant/respondent shall respond (with a counter offer, if appropriate).

b. Twenty eight (28) days before the trial date, a Settlement/Mediation/ADR conference shall have been held. FAILURE TO COMPLY WITH THIS SETTLEMENT CONFERENCE REQUIREMENT MAY RESULT IN SANCTIONS.

C. Trial: Trial is scheduled for 9:00 a.m. on the date on the case schedule or as soon thereafter as convened by the court. The Friday before trial, the parties should access the King County Superior Court website <http://www.kingcounty.gov/courts/superiorcourt.aspx> to confirm trial judge assignment. Information can also be obtained by calling (206) 205-5984.

MOTIONS PROCEDURES

A. Noting of Motions

Dispositive Motions: All summary judgment or other dispositive motions will be heard with oral argument before the assigned judge. The moving party must arrange with the hearing judge a date and time for the hearing, consistent with the court rules. Local Civil Rule 7 and Local Civil Rule 56 govern procedures for summary judgment or other motions that dispose of the case in whole or in part. The local civil rules can be found at <http://www.kingcounty.gov/courts/superiorcourt/civil.aspx>.

Non-dispositive Motions: These motions, which include discovery motions, will be ruled on by the assigned judge without oral argument, unless otherwise ordered. All such motions must be noted for a date by which the ruling is requested; this date must likewise conform to the applicable notice requirements. Rather than noting a time of day, the Note for Motion should state "Without Oral Argument." Local Civil Rule 7 governs these motions, which include discovery motions. The local civil rules can be found at <http://www.kingcounty.gov/courts/superiorcourt/civil.aspx>.

Motions in Family Law Cases not involving children: Discovery motions to compel, motions in limine, motions relating to trial dates and motions to vacate judgments/dismissals shall be brought before the assigned judge. All other motions should be noted and heard on the Family Law Motions calendar. Local Civil Rule 7 and King County Family Law Local Rules govern these procedures. The local rules can be found at <http://www.kingcounty.gov/courts/superiorcourt/civil.aspx>.

Emergency Motions: Under the court's local civil rules, emergency motions will be allowed only upon entry of an Order Shortening Time. However, emergency discovery disputes may be addressed by telephone call and without written motion, if the judge approves.

B. Original Documents/Working Copies/ Filing of Documents: All original documents must be filed with the Clerk's Office. Please see information on the Clerk's Office website at www.kingcounty.gov/courts/clerk regarding the new requirement outlined in LGR 30 that attorneys must e-file documents in King County Superior Court. The exceptions to the e-filing requirement are also available on the Clerk's Office website.

The working copies of all documents in support or opposition must be marked on the upper right corner of the first page with the date of consideration or hearing and the name of the assigned judge. The assigned judge's working copies must be delivered to his/her courtroom or the Judges' mailroom. Working copies of motions to be heard on the Family Law Motions Calendar should be filed with the Family Law Motions Coordinator. On June 1, 2009 you will be able to submit working copies through the Clerk's office E-Filing application at www.kingcounty.gov/courts/clerk.

Service of documents: E-filed documents may be electronically served on parties who opt in to E-Service within the E-Filing application. The filer must still serve any others who are entitled to service but who have not opted in. E-Service generates a record of service document that can be e-filed. Please see information on the Clerk's office website at www.kingcounty.gov/courts/clerk regarding E-Service.

Original Proposed Order: Each of the parties must include an original proposed order granting requested relief with the working copy materials submitted on any motion. Do not file the original of the proposed order with the Clerk of the Court. Should any party desire a copy of the order as signed and filed by the judge, a pre-addressed, stamped envelope shall accompany the proposed order.

Presentation of Orders: All orders, agreed or otherwise, must be presented to the assigned judge. If that judge is absent, contact the assigned court for further instructions. If another judge enters an order on the case, counsel is responsible for providing the assigned judge with a copy.

Proposed orders finalizing settlement and/or dismissal by agreement of all parties shall be presented to the assigned judge or in the Ex Parte Department. Formal proof in Family Law cases must be scheduled before the assigned judge by contacting the bailiff, or formal proof may be entered in the Ex Parte Department. **If final order and/or formal proof are entered in the Ex Parte Department, counsel is responsible for providing the assigned judge with a copy.**

C. Form

Memoranda/briefs for matters heard by the assigned judge may not exceed twenty four (24) pages for dispositive motions and twelve (12) pages for non-dispositive motions, unless the assigned judge permits over-length memoranda/briefs in advance of filing. Over-length memoranda/briefs and motions supported by such memoranda/briefs may be stricken.

IT IS SO ORDERED. FAILURE TO COMPLY WITH THE PROVISIONS OF THIS ORDER MAY RESULT IN DISMISSAL OR OTHER SANCTIONS. PLAINTIFF/PEITITONER SHALL FORWARD A COPY OF THIS ORDER AS SOON AS PRACTICABLE TO ANY PARTY WHO HAS NOT RECEIVED THIS ORDER.



PRESIDING JUDGE

FILED

15 AUG 20 PM 3:59

KING COUNTY
SUPERIOR COURT CLERK
E-FILED

CASE NUMBER: 15-2-20483-1 SEA

SUPERIOR COURT OF WASHINGTON
FOR KING COUNTY

TRACY NEIGHBORS and BARBARA
NEIGHBORS; ARUL MENEZES and LUCRETIA
VANDERWENDE; LAKE SAMMAMISH 4257
LLC; HERBERT MOORE and ELYNNE MOORE;
TED DAVIS and ELAINE DAVIS; REID BROWN
and TERESA BROWN; SHAWN HUARTE and
TRINA HUARTE; ANNETTE MCNABB; EUGENE
MOREL and ELIZABETH MOREL; VOLKER
ELSTE and GAIL UREEL; JOHN R. WARD AND
JOANNA WARD, AS CO-TRUSTEES OF THE
WARD HALES LIVING TRUST; YORK HUTTON;
L. LARS KNUDSEN and LISE SHDO,

Plaintiffs,

vs.

KING COUNTY, a municipal corporation and
political subdivision of the State of Washington,

Defendant.

Cause No.:

SUMMONS

TO THE DEFENDANT: KING COUNTY

A lawsuit has been started against you in the above-entitled Court by the above-named
Plaintiffs. Plaintiffs' claim are stated in the written Complaint, a copy of which is served upon
you with this Summons.

SUMMONS - 1

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Hanson Baker Ludlow Drumheller P.S.
2229 112th Avenue NE, Suite 200
Bellevue, WA 98004
(425) 454-3374

1 In order to defend against this lawsuit, you must respond to the Complaint by stating your
2 defense in writing, and serve a copy upon the undersigned attorney for the Plaintiffs within 20
3 days after the service of this Summons, excluding the day of service, or within 60 days (if
4 service is made upon you outside the State of Washington), or a default judgment may be entered
5 against you without notice. A default judgment is one where Plaintiffs are entitled to what they
6 ask for because you have not responded. If you serve a notice of appearance on the undersigned
7 attorney, you are entitled to notice before a default judgment may be entered.

8 You may demand that the Plaintiffs file this lawsuit with the Court. If you do so, the
9 demand must be in writing and must be served upon the Plaintiffs. Within 14 days after you
10 serve the demand, the Plaintiffs must file this lawsuit with the Court, or the service on you of this
11 Summons and Complaint will be void.

12 If you wish to seek the advice of an attorney in this matter, you should do so promptly so
13 that your written response, if any, may be served on time.

14 This summons is issued pursuant to Rule 4 of the Superior Court Civil Rules of the State
15 of Washington.

16 DATED this 20th day of August, 2015.

17 HANSON BAKER LUDLOW
18 DRUMHELLER P.S.

19 By: John T. Ludlow
20 JOHN T. LUDLOW
21 WSBA No. 7377
22 jludlow@hansonbaker.com
Attorney for Plaintiffs

SUMMONS - 2

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Hanson Baker Ludlow Drumheller P.S.
2229 112th Avenue NE, Suite 200
Bellevue, WA 98004
(425) 454-3374

1 NOTICE: State and federal law provide protections to defendants who are on active duty
2 in the military service, and to their dependents. Dependents of a service member are the service
3 member's spouse, the service member's minor child, or an individual for whom the service
4 member provided more than one-half of the individual's support for one hundred eighty days
5 immediately preceding an application for relief.

6 One protection provided is the protection against the entry of a default judgment in
7 certain circumstances. This notice only pertains to a defendant who is a dependent of a member
8 of the national guard or a military reserve component under a call to active service for a period of
9 more than thirty consecutive days. Other defendants in military service also have protections
10 against default judgments not covered by this notice. If you are the dependent of a member of
11 the national guard or a military reserve component under a call to active service for a period of
12 more than thirty consecutive days, you should notify the plaintiff or the plaintiff's attorneys in
13 writing of your status as such within twenty days of the receipt of this notice. If you fail to do
14 so, then a court or an administrative tribunal may presume that you are not a dependent of an
15 active duty member of the national guard or reserves, and proceed with the entry of an order of
16 default and/or a default judgment without further proof of your status. Your response to the
17 plaintiff or plaintiff's attorneys about your status does not constitute an appearance for
18 jurisdictional purposes in any pending litigation nor a waiver of your rights.

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SUMMONS - 3

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