

August 15 2017 3:14 PM

JUDGE JACK NEVIN  
KEVIN STOCK  
Trial Date: 10/09/2007 COUNTY CLERK  
NO: 16-2-12121-2

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

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

LINCOLN and CYNTHIA GLENISTER; AN  
HUYNH; HEATHER HANSTAD; MIKE and  
WENDY REYNOLDS; TREVOR and  
ROCHELLE PETTINGILL; JONATHAN and  
DENISE SOKOLOWSKI; BRAD and SUE  
COLBO; DAVID and TERRI ASPLUND;  
TINH V. NGUYEN; STEVE and JEANINE  
BARNDT; RON BEESLEY and KIM  
NORRIS; DAVID and CLAIRE  
GORENSTEIN; BILL NIX and VICTORIA  
JIMANO; DAN and JANET WOJTALA;  
RUSS and PEGGY BARSTOW; BRENT and  
DANA EGGLESTON; RUSS and JENNIFER  
CRUTCHER; ALAN and NORMA  
OREJANA; SEAN and SHANNON BROWN;  
COE and EILEEN LINDER; SCOTT and  
SUZANNE BERGESON; BOB and RUBY  
CHARNESS; MARK and IZZY BOYD;  
GRAHAM and ERIKA STAINES; ERNEST  
and PAMELA PETERSON; JEFF ROCKOFF  
and CHARLENE HUTCHINS; LUTHER and  
LOREILLI AGUILAR; TINH NUGYEN and  
PHUNG LE,

Plaintiffs,

vs.

No. 16-2-12121-2

NOTICE OF UNAVAILABILITY

1 BOARD OF DIRECTORS OF SILVER  
2 CREEK ASSOCIATION, a Washington  
3 nonprofit corporation, dba SILVER CREEK  
4 HOME OWNER'S ASSOCIATION,

5 Defendant.

6 Please take notice that Gabriella Wagner will be out of the office from August 17-21,  
7 2017. This notice serves as a request that no formal matters be set during this time or  
8 immediately thereafter. During the absence, said attorney shall not be available for any  
9 hearings, trials, motions, depositions, conferences of counsel, or any other required court  
10 appearances, and shall additionally be unavailable actively to respond to any proposal or  
11 motions that may be filed within said period of absence.

12 It is hereby requested by said attorney of record that counsel for parties provide the  
13 appropriate notice to said attorney, with respect to any proposal or motions so that a minimum  
14 of one (1) week be allowed for any response, reply or court appearance after the stated return  
15 date.

16 DATED this 15<sup>TH</sup> day of August, 2017.

17 WILSON SMITH COCHRAN DICKERSON  
18

19 By s/Gabriella Wagner

20 Gabriella Wagner, WSBA #42898

21 Wilson Smith Cochran Dickerson

22 901 Fifth Avenue, Suite 1700

23 Seattle, WA 98164

24 Telephone: 206-623-4100

25 Fax: 206-623-9273

26 Email: [wagner@wsed.com](mailto:wagner@wsed.com)

*Attorneys for Defendant*

1 **CERTIFICATE OF SERVICE**


2 The undersigned certifies that under penalty of perjury under the laws of the State of  
3 Washington that on the below date I caused to be served the foregoing document on:

4 **Attorney for Plaintiffs**

5 Jason M. Whalen  
6 Shasta L. Kelley  
7 Ledger Square Law, P.S.  
8 710 Market Street  
9 Tacoma, WA 98402

- 10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26
- Via U.S. Mail
  - Via Facsimile: 253-327-1700
  - Via Hand Delivery
  - Via Email: Jason@ledgersquarelaw.com
  - Via Email: shasta@ledgersquarelaw.com

SIGNED this 15<sup>th</sup> day of August, 2017, at Seattle, Washington.

  
\_\_\_\_\_  
Becky Phares