

FILED
KING COUNTY, WASHINGTON

Hon. Veronica Alicea Galvan

APR 28 2022

SUPERIOR COURT CLERK
BY Tara Berger
DEPUTY

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

DAVID TRAHAN, a Washington resident,

Plaintiff,

NO. 22-2-01322-2 SEA

vs.

MERCHANTS CREDIT CORPORATION
aka MERCHANTS CREDIT
ASSOCIATION, a Washington corporation
and licensed collection agency,

**ORDER ON THIRD-PARTY
DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT AND FOR
SANCTIONS PURSUANT TO RCW
4.84.185**

Defendant.

[CLERK'S ACTION REQUIRED]

MERCHANTS CREDIT CORPORATION
aka MERCHANTS CREDIT
ASSOCIATION, a Washington corporation
and licensed collection agency,

Third-Party Plaintiff,

vs.

LITIGATION PRACTICE GROUP, PC, a
foreign professional service corporation; and
PETER SCHNEIDER, an individual,

Third- Party Defendants.

1 **I. FINDINGS OF FACT AND CONCLUSIONS OF LAW**

2 On April 22, 2022, THE COURT heard Third-Party Defendant's Motion for Summary
3 Judgment and for an award of costs and attorney's fees, pursuant to RCW 4.84.185.

4 THE COURT having reviewed:

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- 6 1) Third-Party Defendant's Motion for Summary Judgment;
- 7 2) Third-Party Plaintiff's Response in Opposition to Third-Party Defendant's Motion
8 for Summary Judgment;
- 9 3) Third-Party Defendant's Reply to Third-Party Plaintiff's Response in Opposition to
10 Third-Party Defendant's Motion for Summary Judgment;
- 11 4) The declarations and exhibits in support of the briefs and motion; and

12 THE COURT having heard the parties' oral arguments in support of the motions and
13 briefing, and finding good cause shown, hereby issues the following findings of fact and
14 conclusions of law;

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- 16 1) Viewing all the evidence in a light most favorable to the non-moving party (Third-
17 Party Plaintiff); there is no legal basis in law or fact for Third-Party Plaintiff's claims
18 against Third-Party Defendant, LPG;
- 19 2) Third-Party Plaintiff's claims lack merit and the claims were filed without proper
20 inquiry into the law and facts that apply to the claims asserted,
- 21 3) Third-Party Plaintiff's claims were filed in bad faith and for the purpose of
22 harassment; and
- 23 4) Pursuant to RCW 4.84.185, Third-Party Defendant, LPG is entitled to an award of
24 costs and attorney's fees for defending the claims.

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II. ORDER

NOW THEREFORE IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

- 1) Third-Party Plaintiff's claims against Third-Party Defendant are hereby dismissed with prejudice;
- 2) Third-Party Defendant shall file a motion for an award of costs and attorney's fees pursuant to RCW 4.84.185, by the close of business on Friday, April 30, 2022;
- 3) Third-Party Defendant's motion for costs and attorney's fees shall be limited to the costs and fees associated with the motion practice related to Summary Judgment, including Civil Rule 56, Civil Rule 56(f); and Civil Rule 56(g).

Dated this 26 day of April, 2022.



The Honorable Veronica Alicea Galvan

Veronica Galván