



200604280161
Skagit County Auditor

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RETURN TO:

Donald J. Bisagna

407 S. First Street

Mount Vernon, WA 98273

DOCUMENT TITLE(S) (or transactions contained herein):

Order Canceling Lis Pendens - Skagit Count Superior Court
REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED OR RELEASED: Cause #05-2-00902-3

Skagit County Auditor No. 200505130088

(| ADDITIONAL REFERENCE NUMBERS ON PAGE _____
OF DOCUMENT.

GRANTOR(S) (Last name, first name and initials):

1. Deborah Falls

2.

3.

4.

(| ADDITIONAL NAMES ON PAGE _____ OF DOCUMENT.

GRANTEE(S) (Last name, first name and initials):

1. Michael Kelley

2.

3.

4.

(| ADDITIONAL NAMES ON PAGE _____ OF DOCUMENT.

LEGAL DESCRIPTION (Abbreviated: i.e., lot, block, plat or quarter, quarter, section, township and range):

(| ADDITIONAL LEGAL(S) ON PAGE _____ OF DOCUMENT.

ASSESSOR'S PARCEL/TAX I.D. NUMBER: _____

(| TAX PARCEL NUMBER(S) FOR ADDITIONAL LEGAL(S) ON PAGE _____ OF DOCUMENT.

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

2006 APR 28 AM 10: 07

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

In Re:

DEBORAH A. FALLS,

Petitioner,

and

MICHAEL KELLEY,

Respondent.

NO. 05-2-00902-3

ORDER CANCELING THE LIS
PENDENS AND FOR FURTHER
SANCTIONS PURSUANT TO CR 37

THIS MATTER HAVING COME ON REGULARLY for hearing on
Respondent's motion and declaration for an order canceling the Lis Pendens filed and
recorded by Petitioner, Deborah Falls, on 5/13/05, under Skagit County Auditor No.
200505130088, against the real property located at 13706 & 13700 Islewood Drive,
Anacortes, Washington, which is solely owned by Michael Kelley; and for further
sanctions pursuant to CR 37, the Court having heard argument of counsel, having
reviewed the files and records herein, and being otherwise fully advised in the premises,
now, therefore,

~~THE COURT HAVING CONSIDERED whether a lesser sanction would have~~
~~sufficed, and~~



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ORDER CANCELLING LIS PENDENS AND FOR FURTHER SANCT

OR

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1 **THE COURT FINDING** that the disobedience in refusing to obey the discovery
2 order was willful or deliberate and substantially prejudices Ms. Kelley's ability to prepare
3 for trial, and *Reserved*

4 **THE COURT FINDING FURTHER** that the least severe discovery sanction
5 that will adequately serve the purpose of sanctions, which are to deter, punish,
6 compensate, educate, and insure that the wrong-doer does not profit from the wrong, are *Reserved*
7 as follows:
8

9 **II. ORDER**

10 ~~**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that the~~
11 following further sanctions are imposed on Deborah Falls:

- 12 a) Ms. Falls is barred from supporting her claim and opposing Mr. Kelley'
13 defenses; and she is prohibited from introducing any evidence supporting
14 her claims or opposing Mr. Kelley's defenses, specifically regarding her
15 claim that they acquired certain property together (paragraph 2.1 of the
16 Petition), and for breach of contract (paragraphs 3.1, 3.3, 4.1, and 5.1 of
17 the Petition)
18
19 b) In the alternative, paragraphs 3.1, 3.3, 4.1 and 5.1 of Ms. Falls petition are
20 stricken, the action dismissed, or, a judgment for default shall issue against
21

22 Ms. Falls

23 **IT IS FURTHER ORDERED** that the Lis Pendens filed and recorded by
24 Petitioner, Deborah Falls, on 5/13/05, under Skagit County Auditor No. 200505130088,
25 against the real property located at 13706 & 13700 Islewood Drive, Anacortes,
26 Washington, at the outset of this case, is canceled.
27

28 ORDER CANCELLING LIS PENDENS AND FOR FUTHER SANC



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3 Dated:

4-28-06

Dave Needy
JUDGE/COURT COMMISSIONER

5 Presented by:

Approved for entry:
Notice of presentment waived:

6
7
8 DB sap
9 Donald J. Bisagna, WSBA #7577
Attorney for Respondent

Did not appear
Deborah Falls, Petitioner
Pro Se

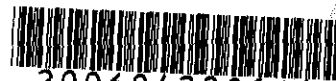
10
11
12 Michael Kelley, Respondent

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ORDER CANCELLING LIS PENDENS AND FOR FUTHER SA.

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UNOFFICIAL DOCUMENT

State of Washington, } ss.
County of Skagit

I, Nancy K. Scott, County Clerk of Skagit County and ex-officio Clerk of the Superior Court of the State of Washington, for the County of Skagit, do hereby certify that the foregoing instrument is a true and correct copy of the original, consisting of 3 pages, now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal of said Court at my office at Mount Vernon this 28 day of APRIL, 20 06 Nancy K. Scott, County Clerk.

By Nancy K. Scott
Deputy Clerk



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Skagit County Auditor