



201001080093

Skagit County Auditor

1/8/2010 Page

1 of

11

3:42PM

Document Title: order entering arbitrators award

Reference Number:

Grantor(s):

additional grantor names on page \_\_\_

1. Katrina Williams
- 2.

Grantee(s):

additional grantee names on page \_\_\_

1. Warren Williams
- 2.

Abbreviated legal description:

full legal on page(s) \_\_\_

LT 1 Short Platte PLO6-0078

Assessor Parcel / Tax ID Number:

additional tax parcel number(s) on page \_\_\_

P119601, P127058

CERTIFIED  
COPY

FILED

2009 JUN 11 AM 10: 01

SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH



Superior Court of Washington  
County of Snohomish

In re the Marriage of:

Katrina E. Williams  
Petitioner,  
and

Warren C. Williams  
Respondent.

No. 06-3-03058-5

ORDER ON MOTION TO  
RESTRICT THE PETIONER  
FROM MOVING FORWARD  
WITH A TRIAL DE NOVO  
AND ENTERING  
ARBITRATOR'S AWARD

Money Judgment Summary:

Judgment Summary is set forth below.

A. Judgment creditor	<u>Warren Williams</u>	
B. Judgment debtor	<u>Katrina Williams</u>	
C. Principal judgment amount		\$26,900.00
D. Interest to date of judgment		\$
E. Attorney fees		<del>\$3500.00</del> 2,500 --
F. Costs (Filing fee)		\$125.00
G. Other recovery amount		\$
H. Principal judgment shall bear interest at 12 % per annum		
I. Attorney fees, costs and other recovery amounts shall bear interest at 12 % per annum		
J. Attorney for judgment creditor	<u>Steven G. Phillips, WSBA #22789</u>	
K. Attorney for judgment debtor	<u>Paige Haley WSBA #31795</u>	
L. Other:		

SGP  
PMA  
B

This matter having come before the undersigned judge on motion of the respondent:

It is hereby ORDERED, ADJUDGED, and DECREED that a judgment in accordance

JAY CAREY  
LAW OFFICES

P.O. BOX 190  
420 NORTH McLEOD  
ARLINGTON, WA 98223  
PHONE: (360) 435-5707  
FAX: (360) 435-0996

Order on Motion to restrict trial de novo - Page 1 of 2

ORIGINAL



Skagit County Auditor

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with the attached Arbitration Award dated 4/30/09 be entered.

It is further ORDERED, ADJUDGED, and DECREED that the Petitioner is denied a trial de novo.

~~It is further ORDERED, ADJUDGED, and DECREED that the Petitioner shall pay for Respondent's attorney fees in the amount of \$1,000.00 for bringing the above motion and order.~~

Date: 6/11/09

[Signature]  
Judge / Commissioner

Presented by:

[Signature]  
Steven G. Phillips, WSBA #22789  
Attorney for Respondent

Approved by:

[Signature]  
Paige Haley, WSBA #31795  
Attorney for Petitioner

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**JAY CAREY**   
LAW OFFICES

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Order on Motion to restrict trial de novo - Page 2 of 2



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STATE OF WASHINGTON  
COUNTY OF SNOHOMISH

I, SONYA KRASKI, Clerk of the above entitled Court, do hereby certify that the foregoing instrument is a true and correct copy of the original now on file in my office. In witness whereof I hereunto set my hand and the Seal of the said

Court this 14th day of October 2009  
SONYA KRASKI, County Clerk

*Sonya Kraski*  
Deputy

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2009 APR 30 PM 1:35

SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH

1Z69086170  
CL13805321



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

KATRINA WILLIAMS

Plaintiff,

vs.

WARREN WILLIAMS

Defendant.

RTF

No.

06-3-03058-5

ARBITRATION AWARD

The issues in arbitration having been heard on APRIL 29, 2009, I make the following award:

FOR THE RESPONDENT  
SEE ATTACHED AWARD

Twenty days after the award has been filed with the County Clerk, if no party has sought a trial de novo, any party on six days notice to all other parties may present to the Presiding Judge or Court Commissioner a judgment on the Arbitration Award for entry as final judgment in this case.

Was any part of this award based on the failure of a party to participate:

( ) Yes ( ) No *see attached*

*Petitioner did not appear after actual notice + willfully decided not to submit materials were considered AS SUBMITTED*

If yes, please identify the party and explain:

Dated:

4/30/2009

Signed:

*David C. Mitchell*  
Arbitrator

Typed Name:

DAVID C MITCHELL

*(File original with County Clerk; and provide copies to the Director of Arbitration and all other parties)*



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SUPERIOR COURT OF WASHINGTON FOR SNOHOMISH COUNTY

In re Marriage of: )  
KATRINA E. WILLIAMS )  
Petitioner )  
and )  
WARREN C. WILLIAMS )  
Respondent )

NO. 06-3-03058-5

**ARBITRATION AWARD**

This matter came on for hearing on April 29, 2009. The respondent and moving party, Warren Williams, was present with his attorney, Steven Phillips. The Petitioner and her attorney Paige Haley did not appear. This is the first item of discussion.

Both the Respondent and her attorney were aware of the arbitration date and time. The attorney for Respondent sent two letters to the arbitrator saying they would not attend. The stated reason for not attending was that Harry Slusher should have been appointed arbitrator. The arbitrator has rejected this claim. Mr. Slusher mediated the CR2A agreement between the parties . This agreement contained a clause binding arbitration with him is there were disputes in writing the agreement and the Decree. In fact there was an issue that went to binding arbitration with him prior to entry of the Decree. Neither the settlement agreement or Decree contain any designation of Mr. Slusher as a future arbitrator for enforcement of the Decree or any other purpose.

This arbitrator was appointed after a Superior Court order directing arbitration and advancement of the filing fee by Mr. Williams. This was followed up by a notice of arbitrability with the proposed list of Arbitration Award

**DAVID C. MITCHELL, WSBA #3892**  
**ATTORNEY AT LAW**  
1524 Rucker Avenue  
EVERETT, WA 98201  
(425) 876-5078



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1 arbitrators. There was no objection by the Petitioner to this matter going to Mandatory  
2 Arbitration under Snohomish County Rules. Ms. Williams participated in this process. A  
3 Notice of Hearing was timely sent by the arbitrator and no objection was made until a couple  
4 of days before the hearing.

5 The arbitrator has been appointed to hear this matter and no contrary order  
6 was received so the arbitrator proceeded to take facts from the documents submitted and  
7 the testimony of Mr. Williams, review the Decree and Settlement Agreement and order as  
8 follows.

- 9
- 10 1. The parties own three lots called the Starbird property, one to each of the  
11 parties and the other jointly owned. They were all directed to be sold,  
12 but none have yet. Each party was to pay for property in their name.  
13 Since the dissolution Mr. Williams has paid the entire \$1900.00 per  
14 month payment which is secured by all three lots, since there is single  
15 mortgage. Through May this is a total of 17 payments. Pursuant to the  
16 agreement and Decree, Ms. Williams is responsible for one/half of this  
17 and Mr. Williams is entitled to a judgment in the amount of \$16,500  
18 against Ms. Williams for her share of that mortgage which she should  
19 have paid. Interest on this should run from at least January 1, 2009.  
20 This was a liquidated amount and interest shall accumulate from January  
21 1, 2009 on this amount. Mr. Williams shall be entitled to additional  
22 judgment for 1/2 of payments made after the date of arbitration upon  
23 motion to the court supported by proof of payment of these subsequent  
24 amounts.
- 25 2. The Exhibit C to the Settlement Agreement contains a stipulated damage  
26 provision for \$1000.00 for the damage to one party when the other party  
27 does not timely pay the mortgage on their property. Ms. Williams was  
28 late over 30 days on payments and between 16 and 30 days late 12 more  
occasions. These damages

Arbitration Award

- 2 -

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when the other party is co-debtor are difficult to ascertain and both parties were represented by counsel and mediated this damage provision. Thus Mr. Williams is entitled to judgment against Ms. Williams for this in the amount of \$ 16,000.00

- 3. Mr. Williams is entitle to a judgment for attorney fees in the amount of \$2500.00 which amount is reasonable pursuant to the terms of the Agreement.
- 4. The escrow monies at Hagen Escrow should be distributed to the parties as follows: Mr. Williams, 757.57; Ms. Williams \$491.14. A court order should enter directing the Escrow to so disburse these funds.
- 5. Mr. Williams shall have judgment for \$125.00 for ½ the arbitration fee.
- 6. Ms. Williams shall have an offsetting judgment for the Ruger pistol in the amount of \$300.00
- 7. The Parties shall turn over all income information necessary for the filing of the 2006 joint return to Roger C. Burton, 1203 Cedar Avenue, Marysville, WA 98270, unless someone else is agree upon at the time of entry of the order. Ms Williams will pay an initial retainer to the preparer in the amount of \$250.00. The Preparer named in the decree is no longer willing to perform this task.
- 8. There is a balance currently owed to Ms. Williams by Mr. Williams on judgments entered in this cause on March 23, 2007. This amount to mid May of 2009, current balance in the amount of \$ 4950.00. A Satisfaction of Judgment by Order shall issue for these judgments and the judgment of Mr. Williams herein will be reduced by that amount.

**SUMMARY JUDGMENT FOR RESPONDENT WARREN C. WILLIAMS**

**16,150.00**  
**16,000.00**

Arbitration Award

**DAVID C. MITCHELL, WSBA #3892**  
**ATTORNEY AT LAW**  
1524 Rucker Avenue  
EVERETT, WA 98201  
(425) 876-5078



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Total \$32,150.00  
Less Ruger 300.00  
Net 31,850.00

Less Satisfaction of 3-23-2009 judgments (\$ 4950.)  
Net final judgment \$ 26, 900.00

Plus \$ 125.00 filing fee  
Attorney fee \$2500.00

Signed at Everett, Washington this 30<sup>th</sup> day of April, 2009

  
David C. Mitchell Arbitrator, WSBA 3892

Arbitration Av



Skagit County Auditor

DAVID C. MITCHELL, WSBA #3892  
ATTORNEY AT LAW  
1524 Rucker Avenue  
EVERETT, WA 98201  
(425) 876-5078

COPY RECEIVED  
IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
2009 MAR 20 IN AND FOR THE COUNTY OF SNOHOMISH

ST. C. J. WILLIAMS  
SUPERIOR COURT  
KATRINA WILLIAMS

No. 06-3-03058-5

Petitioner,

and

WARREN WILLIAMS

Respondent.

AVAILABLE HEARING DATES

The available dates for a hearing in this case are roughly between:  
April 16, 2009 and May 28, 2009. To assist the arbitrator in setting a convenient hearing date, please list those dates which are preferred and those which are not acceptable.

- |   |   |
|---|---|
| Preferred Dates:                                  | Unacceptable Dates:                               |
| 1. <u>April 30<sup>th</sup></u>                   | 1. <u>April 20<sup>th</sup> - 24<sup>th</sup></u> |
| 2. <u>May 1<sup>st</sup></u>                      | 2. _____  |
| 3. <u><del>April</del> 14<sup>th</sup> of May</u> | 3. _____  |
| 4. <u>15<sup>th</sup> of May</u>                  | 4. _____  |

I estimate that this case will require 4-5 hours to hear.

Signed: Katrina Eileen Williams

Typed Name: Katrina Eileen Williams

Address: 9402 51<sup>st</sup> Ave NE

Marysville, WA 98270

Phone: 425-931-6676

Attorney for: \_\_\_\_\_

This original form to be returned within 14 days of transmittal to:

Director of Arbitration  
Room 502, Superior Court  
Snohomish County Courthouse  
Everett, WA 98201  
(425) 388-3564



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STATE OF WASHINGTON  
COUNTY OF SNOHOMISH

I, SONYA KRASKI, Clerk of the above entitled Court, do hereby certify that the foregoing instrument is a true and correct copy of the original now on file in my office. In witness whereof, I hereunto set my hand and the Seal of the said Court this 12th day of October, 2009

*Sonya K. Fokanavich*  
SONYA KRASKI, County Clerk