

Skagit County Auditor

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Document Title: "Judgment Summary
in the matter of *Skagit County, a municipal corporation of the State of Washington v. Gordon Ross Henderson, Mary E. Hoffman, and the Gordon R. Henderson Sr. and Mary E. Hoffman Revocable Living Trust*; Skagit County Superior Court Cause No. 13-2-01172-0.

Reference Number: n/a

Debtors: Gordon Ross Henderson
Mary E Hoffman
Gordon R. Henderson Sr. and Mary E. Hoffman Revocable Living Trust

Creditors: Skagit County, a Washington municipal corporation

Abbreviated Legal Description: Section 5, Township 34N, Range 3E

Legal Description:

P21106: THE NORTH 3/8 OF THE FOLLOWING DESCRIBED TRACT: LOT 1 AND THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 5 TOWNSHIP 34 NORTH RANGE 3 EAST EXCEPT THE EAST 20 FEET THEREOF CONVEYED TO SKAGIT COUNTY FOR ROAD PURPOSES BY DEED RECORDED JANUARY 2, 1931 UNDER AUDITORS FILE #239957 INCLUDES 1970 OLYMPIAN MOBILE HOME 48X12 LESS 1 AC TR & M/H

P21107: (1.00 AC) INCLUDES 1981 KENTW 40X24 SERIAL NO. KW9064 TPO 09312 AND 1978 OLYMPIAN MOBILE HOME 48X12 1 AC TR & M/H THE NORTH 3/8 OF THE FOLLOWING DESCRIBED TRACT LOT 1 AND THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 5 TOWNSHIP 34 NORTH RANGE 3 EAST WM; EXCEPT THE EAST 20 FEET THEREOF CONVEYED TO SKAGIT COUNTY FOR ROAD PURPOSES BY DEED RECORDED JANUARY 2 1931 UNDER AUDITORS FILE #239957

Assessor Parcel(s)/Tax ID Number:

- (1) P21107 /340305-0-001-0118
- (2) P21106 /340305-0-001-0001

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IN THE SUPERIOR COURT FOR SKAGIT COUNTY, WASHINGTON

SKAGIT COUNTY, a municipal corporation of the State of Washington,

Plaintiff,

vs.

GORDON ROSS HENDERSON, MARY E. HOFFMAN, AND THE GORDON R. HENDERSON SR. AND MARY E. HOFFMAN REVOCABLE LIVING TRUST

Defendants,

vs.

JEANNE YOUNGQUIST, et al.,

Third Party Defendants.

NO. 13-2-01172-0

~~PROPOSED~~ JUDGMENT SUMMARY

[CLERK'S ACTION REQUIRED]

JUDGMENT SUMMARY

A. Judgment Creditors: Skagit County

B. Judgment Creditor's Attorney: A. O. Denny, Skagit County Prosecutor's Office.

C. Judgment Debtors: Gordon Ross Henderson (AKA Gordon Ross: Henderson), Mary E. Hoffman, and the Gordon Ross Henderson Sr. and Mary E. Hoffman Revocable Living Trust.

Judgment Summary

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PROSECUTING ATTORNEY
OF SKAGIT COUNTY
605 South Third Street

13 9 02290 5



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1	D. Judgment Amount:	\$275,000.00
2	E. Interest owed to date of judgment:	\$0
3	F. Post-judgment interest:	\$0
4	G. Partial satisfaction:	\$0
5	H. Attorney's Fees (CR 11):	\$6,747.00
6	I. Taxable costs:	<u>\$0</u>
7	Total:	\$282,747.00

8 THIS MATTER having come on for consideration before the Honorable Judge Meyer on
9 September 9, 2013, and the Honorable Judge Susan Cook on November 15, 2013, of the Skagit
10 County Superior Court upon the motion of Skagit County to dismiss defendants original and
11 second amended counterclaims, respectively, and for an award of sanctions against the
12 defendants, the Skagit County Defendants having appeared through their attorneys, A.O. Denny,
13 Deputy Prosecuting Attorney for Skagit County, and defendant Gordon Ross Henderson having
14 appeared pro se, the court having read and considered the following records and files herein, in
15 addition to the motions and orders previously filed, including:

- 16 1. Defendant Skagit County's Cost Bill;
- 17 2. Declaration of A. O. Denny in Support of Award of Attorney's Fees and
18 Expenses;
- 19 3. Order Dismissing Defendants' Counterclaim and Granting Sanctions to Skagit
20 County entered September 9, 2013.
- 21 4. Order Dismissing Defendants' Second Amended Counterclaim and Granting
22 Sanctions to Skagit County entered November 15, 2013.
- 23 5. Order Granting Skagit County's Motion for Summary Judgment and Enjoining a
24 Public Nuisance entered November 15, 2013.

25 The court is fully advised in the premises and hereby, makes the following findings:

- 26 1. Skagit County has presented undisputed, admissible evidence that defendants have
27 failed to remediate the land use and building code violations noted in two notices and orders to
28 abate and that civil penalties are accruing for the unremediated violations.



1 2. Skagit County is entitled to a judgment of \$275,000 for the civil penalties accrued
2 within the two years preceding the filing of the county's complaint.

3 3. Defendants' counterclaims against Skagit County and certain of its employees and
4 elected officials were not well grounded in fact or warranted by existing law and were interposed
5 to harass the third party defendants.

6 4. Defendants failed to conduct a reasonable inquiry into the legal basis to file their
7 counterclaims and did not present grounds for disregarding controlling precedent.

8 5. Defendants counterclaims were frivolous and advanced without reasonable cause.

9 6. An award of sanctions for reasonable attorney fees incurred by Skagit County in its
10 defense and in the defense of county employees and elected officials is appropriate.

11 7. Skagit County and the individual third party defendants are the prevailing parties on
12 all actions before the court, including the matter of the counterclaims filed by defendants. The
13 court will therefore award costs allowed by CR 11 and RCW 4.84.010

14 8. Reasonable attorney's fees will be awarded to Skagit County for 34.6 hours at a rate of
15 \$195 per hour for the time spent in defense of defendants' counterclaims. The hours expended
16 and rate are reasonable given the necessity of having to respond to two counterclaims seeking a
17 total of \$18,000,000 in damages. Awarding these attorney's fees and expenses is a reasonable
18 sanction in response to the frivolous nature of the plaintiffs' complaint and motions.

19 9. Other:

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23 Now, therefore, JUDGMENT is hereby entered in favor of the Skagit County.

24 Defendants are hereby awarded attorney's fees, expenses, and costs in the amount of \$6,747.00.

25 Post-judgment interest shall run from the date of entry of this judgment. Defendants Gordon
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1 Ross Henderson, Mary E. Hoffman, and the Gordon R. Henderson Sr. and the Mary E.
2 Hoffman Revocable Living Trust shall be jointly and severally liable for reimbursing Skagit
3 County for the total sum of this award.

4 DATED this 12 day of Dec., 2013.

5
6 Susan K Cool
7 JUDGE

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9 Presented by:

10
11 SKAGIT COUNTY PROSECUTING ATTORNEY

12
13 By: [Signature]
14 A. O. DENNY, WSBA #14021
15 Deputy Prosecuting Attorney

16
17 Copy received:

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19 _____
20 Gordon Ross: Henderson



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28 Skagit County Auditor

\$77.00

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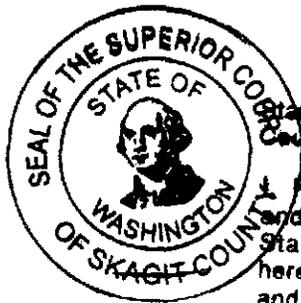
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Judgment Summary

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PROSECUTING ATTORNEY
OF SKAGIT COUNTY
605 South Third Street
Mt. Vernon, Washington 98273
360-336-9460

UNOFFICIAL DOCUMENT



State of Washington, }
County of Skagit } ss.

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 4 pages, now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of said Court at my office at Mount Vernon this 4 day of March, 2014 Nancy K. Scott, County Clerk.

By [Signature]
Deputy Clerk



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