



201712040052

**RETURN ADDRESS:**

Thomas P. McDonough  
510 Bell Street  
Edmonds, WA 98020

Skagit County Auditor

\$79.00

12/4/2017 Page

1 of

6 9:38AM

**DOCUMENT TITLE:**

**CERTIFIED COPY OF JUDGMENT:  
ORDER GRANTING ALL NEW  
AGAIN'S MOTION FOR PARTIAL  
SUMMARY JUDGMENT**

**REFERENCE/RECORDING  
NUMBER OF DOCUMENT:**

N/A

**GRANTOR/JUDGMENT DEBTOR:**

**LAURA GALLAGHER, a single woman**

**GRANTEE/JUDGMENT CREDITOR:**

**ALL NEW AGAIN LLC, a Washington limited  
liability company**

**ASSESSOR'S PROPERTY TAX  
PARCEL NUMBER OR  
ACCOUNT NUMBERS:**

17133105  
**Parcel No. P126734  
330517-0-001-0600**

**Parcel No. P125976  
330517-0-001-0500**

**Parcel No. P18124  
330517-3-008-0003**

**CERTIFIED  
COPY**

**FILED**

2017 NOV 17 AM 9:48

SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH

IN THE SUPERIOR COURT OF WASHINGTON FOR SNOHOMISH COUNTY

ALL NEW AGAIN LLC, a Washington  
limited liability company,

Plaintiff,

vs.

LAURA GALLAGHER, a single woman,

Defendant.

No. 16-2-18489-31

ORDER GRANTING ALL NEW  
AGAIN'S MOTION FOR PARTIAL  
SUMMARY JUDGMENT

**JUDGMENT SUMMARY**

1. Judgment Creditor: All New Again LLC, a Washington limited liability company
2. Judgment Debtor: Laura Gallagher, a single woman
3. Principal Judgment Amount: \$ 70,000.00
4. Attorney Fees: \$ —
5. Costs: \$ —
6. Other Recovery Amounts \$ -0-
7. Principal Judgment amount shall bear interest at 12% per annum.
8. Attorney fees, costs, and other recovery amounts shall bear interest at 12% per annum.
9. Attorney for Judgment Creditor: Thomas F. McDonough.

ORDER GRANTING ALL NEW AGAIN'S  
MOTION FOR PARTIAL SUMMARY  
JUDGMENT-1

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Attorney at Law  
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Telephone (425) 778-8555  
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1 THIS MATTER came on regularly for hearing before this Court upon Plaintiff All New  
2 Again LLC's ("All New Again") motion for partial summary judgment seeking summary  
3 judgment in its favor on the issues of (1) Defendant Gallagher's liability for breaching the  
4 January 9, 2015, "24-Hour Emergency Service Work Authorization," (2) Defendant Gallagher's  
5 liability for breaching the December 19, 2014, "Service Work Authorization," (3) the minimum  
6 amount of damages owed to All New Again by Defendant Gallagher in the amount of  
7 \$40,000.00; and (4) the amount of liquidated damages owed by Defendant Gallagher for  
8 breaching the December 19, 2014, "Service Work Authorization" in the amount of \$29,199.67  
9 plus Washington State sales tax of \$2,365.17, for a total of \$31,564.84. Plaintiff is represented  
10 by counsel, Thomas F. McDonough, Attorney at Law, and defendant is appearing pro se. The  
11 Court, having examined the parties present and considered the evidence and the records and  
12 files herein including the following:

- 13 1. Complaint for Breach of Contract, Unjust Enrichment, and Damages dated  
14 September 23, 2016 and filed on September 26, 2016;
  - 15 2. Response to Complaint for Breach of Contract, Unjust Enrichment and Damages  
16 dated March 16, 2017;
  - 17 3. Plaintiff All New Again's Motion for Partial Summary Judgment;
  - 18 4. Declaration of Jon Baer in Support of Plaintiff's Motion for Partial Summary  
19 Judgment and all attached exhibits;
  - 20 5. Declaration of Thomas McDonough in Support of Plaintiff's Motion for Partial  
21 Summary Judgment and all attached exhibits;
- 22 \_\_\_\_\_  
23 \_\_\_\_\_  
24 \_\_\_\_\_  
25 \_\_\_\_\_

ORDER GRANTING ALL NEW AGAIN'S  
MOTION FOR PARTIAL SUMMARY  
JUDGMENT-2

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*Thomas F. McDonough*

1 Based on the foregoing, this Court finds there is no just reason for delay and there are no  
2 genuine issues of material fact in dispute as to Plaintiff's relief requested, and Plaintiff is  
3 entitled to judgment as a matter of law, now therefore, IT IS HEREBY

4  
5 ORDERED, ADJUDGED AND DECREED as follows:

6  
7 1. Plaintiff's Motion for Partial Summary Judgment is GRANTED on the following  
8 issues: (1) Defendant Gallagher's liability for breach of the December 19, 2014, "24-Hour  
9 Emergency Service Work Authorization"; (2) Defendant Gallagher's liability for breach of the  
10 December 19, 2014, "Service Work Authorization"; (3) the amount of the minimum damages  
11 owed by Defendant Gallagher for Phase I work performed by All New Again under the  
12 January 9, 2015, "24-Hour Emergency Service Work Authorization" in the amount of  
13 \$40,000.00, and (4) the amount of liquidated damages owed by Defendant Gallagher for  
14 breaching the December 19, 2014, "Service Work Authorization" in the amount of \$29,199.67  
15 plus Washington State sales tax in the amount of \$2,365.17 for a total of \$31,564.84.

16 2. All New Again is granted judgment against Defendant Gallagher in the amount  
17 of ~~\$40,000.00~~ <sup>\$70,000.00</sup> for Phase I work performed by All New Again on Defendant Gallagher's  
18 residence;

19 ~~3. All New Again is granted judgment against Defendant Gallagher in the amount~~  
20 ~~of \$29,199.67 plus Washington State sales tax of \$2,365.17 for a total of \$31,564.84 for~~  
21 ~~liquidated damages for Defendant Gallagher's breach of the December 19, 2014, "Service Work~~  
22 ~~Authorization";~~

23 4. Plaintiff All New Again <sup>is</sup> prevailing party, ~~is entitled to an award of costs and~~  
24 ~~reasonable attorney fees and shall file its motion for fees within thirty (30) days;~~  
25

ORDER GRANTING ALL NEW AGAIN'S  
MOTION FOR PARTIAL SUMMARY  
JUDGMENT-3

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1 5. Post-judgment interest shall accrue on the above amounts at the rate of twelve  
2 percent (12%) per annum, which is the statutory rate as well as the contract rate in this case; and


3 6. ~~The issue of damages in excess of the \$40,000.00 admitted by Defendant~~  
4 ~~Gallagher is reserved for trial.~~ Plaintiff shall not execute on the above

5 Judgment, which is a final judgment adjudicating all claims between  
6 the parties, until after February 28, 2018.

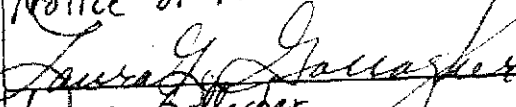
7 DONE IN OPEN COURT this 17<sup>th</sup> day of November, 2017.

8  
9  
10 JUDGE

11 Presented by:

12   
13 Thomas F. McDonough, WSBA #11110  
14 Attorney for Plaintiff All New Again LLC

15  
16 Copy received Approved as to Form,  
17 Notice of Presentation Waived:

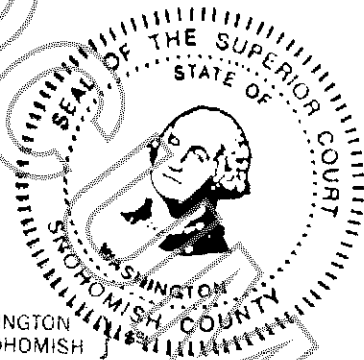
18   
19 Laura Gallagher

20 Date: Nov 16, 2017

21  
22  
23  
24  
25 ORDER GRANTING ALL NEW AGAIN'S  
MOTION FOR PARTIAL SUMMARY  
JUDGMENT-4

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UNOFFICIAL DOCUMENT



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 NOV 17 2017 day of NOV  
SONYA KRASKI, County Clerk  
[Signature] Deputy