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Skagit County Auditor

Return Address:
Peterson Baker, P.S.
110 Prefontaine Pl. S. # 304
Seattle, WA. 98104

Document Title: Judgment

Reference Number (if applicable):

Grantor(s): ☐ additional grantor names on page

1) D & R RV LLC

2)

Grantee(s): ☐ additional grantor names on page

1) Carrie Ching

2)

Abbreviated Legal Description: ☐ full legal on page(s)

(3.3800 ac) BURLINGTON HILL BUSINESS PARK PHASE II BINDING SITE PLAN,
ACRES 3.38, (DK12 & DR14) (DK12 & DR14) Lot 15

Site address: 1946 Park Lane Skagit County, Washington

Assessor Parcel /Tax ID Number: ☐ additional parcel numbers on page

P112917

19-2-01344-29

JD 24

Judgment

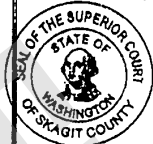
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FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

2020 JAN 23 PM 1:36

MELISSA BEATON, Clerk of the Superior Court of the State of Washington, for Skagit County, do hereby certify that this is a true copy of the original now on file in my office. Dated 1/28/2020



MELISSA BEATON, County Clerk

By: [Signature]
Deputy Clerk

SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR SKAGIT COUNTY

CARRIE CHING and STEVE HOFMEYR,
husband and wife and the marital
community comprised thereof,

Plaintiffs,

v.

D & R RV, LLC, (dba Dreamchasers RV),
XZAVION GC&S PROPERTIES,
LLC, RAYMOND GODA and DEBORAH
GODA and the marital community
comprised thereof, WESTERN SURETY
Co., a foreign corporation, and DOES 1
through 10.

Defendants.

No. 19-2-01344-29

amended

[PROPOSED] DEFAULT JUDGMENT

nmc pro tunc

I. JUDGMENT SUMMARY

A. Judgment Creditors

Carrie Ching and Steve Hofmeyr
c/o Peterson Baker, P.S.
110 Prefontaine Pl. S. Suite 304
Seattle, WA. 98104

B. Judgment Debtors

D & R RV, LLC
dba Dreamchasers RV
UBI# 603 342 584
XZAVION GC&S PROPERTIES, LLC
UBI # 604 019 971

[PROPOSED] DEFAULT JUDGMENT- 1

amended

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A. Principal Judgment Amount (consisting of 1-5 below): \$187,681.39

1.	Vehicle sale proceeds plus wire transfer:	\$122,124.81
2.	Loss of use:	\$35,840.00
3.	Treble Damages per RCW 19.86.090:	\$25,000.00
4.	Insurance and Loan Payments:	\$3,621.58
5.	Consignment Fee Refund:	\$1,095.00
6.	Prejudgment Interest:	\$4,957.22
7.	Costs of suit:	\$777.29
8.	Attorney Fees:	\$9,030.00

C. Total: \$202,445.90**D. Judgment shall bear interest at: 12 percent per annum****E. Attorneys for Judgment Creditor: Jerry T. Baker
Tyler C. Peterson****II. ORDER**

This matter came before the Court on Plaintiffs Motion for Entry of Default Judgment. The Court examined the following documents and other evidence before entering the Default Judgment herein: Order of Default; Motion for Entry of Default Judgment with supporting declarations of Carrie Ching, Steven Hofmeyr, and Jerry T. Baker, with supporting Exhibits thereto; and the papers and pleadings on file in this case.

[PROPOSED] DEFAULT JUDGMENT - 2

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2 Having considered the pleadings and evidence listed above,

3 IT IS HEREBY ORDERED that the Default Judgment is granted, and the following

4
5 Order is entered:

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8 **III. FINDINGS OF FACT**

9 Defendant D&R RV, LLC is a Washington Limited liability company with
10 its principal place of business located at 1946 Park Lane, Burlington, WA. 98233. The
11 registered agent for D&R RV, LLC is Raymond Goda. The secretary of State lists Goda's
12 address, as well as D&R RV LLC's principal office and mailing address as 24413
13 Nookachamp Hills Dr. Mt. Vernon, WA. 98274. Raymond Goda and his wife Deborah
14 Goda are the governing members of D&R RC, LLC.

15 Defendant XZAVION GC&S PROPERTIES, LLC is a Washington Limited
16 liability company with its principal place of business located at 1946 Park Lane, Burlington,
17 WA. 98233. The registered agent for XZAVION GC&S PROPERTIES, LLC is Raymond
18 Goda. The secretary of State lists Goda's address, as well as XZAVION GC&S
19 PROPERTIES, LLC's principal office and mailing address as 24413 Nookachamp Hills Dr.
20 Mt. Vernon, WA. 98274. Raymond Goda and his wife Deborah Goda are the governing
21 members of XZAVION GC&S PROPERTIES, LLC.

22 At all times relevant to this action, Defendant Raymond Goda and Defendant
23 Deborah Goda were and are the sole governing members of both D&R RC, LLC and
24 XZAVION GC&S PROPERTIES, LLC. As such, Defendants Raymond and Deborah Goda
25 controlled D&R RC, LLC and XZAVION GC&S PROPERTIES, LLC's policies, activities,
26 and practices, including those alleged in the complaint.

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[PROPOSED] DEFAULT JUDGMENT - 3

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2 At all times relevant to this action, Defendant Deborah Goda was and is a
3 governing member of both D&R RC, LLC and XZAVION GC&S PROPERTIES, LLC.
4

5 This court has personal jurisdiction over Defendants D&R RC, LLC and
6 XZAVION GC&S PROPERTIES, LLC pursuant to RCW 23.95.450(2). The conduct
7 alleged herein occurred in Skagit County, Washington. Venue is proper in Skagit County
8 pursuant to RCW 4.12.010
9

10 Defendants D&R RC, LLC and XZAVION GC&S PROPERTIES, LLC
11 jointly operate Dreamchasers RV, a recreational vehicle dealer in Burlington, Washington.
12

13 Defendants D&R RC, LLC and XZAVION GC&S PROPERTIES, LLC
14 advertises itself online as, among other things, a recreational vehicle dealership that offers
15 consignment sales as a service they offer to people all over "Pacific Northwest
16 Washington." Defendants advertise that they take only a flat \$1,095.00 fee, payable at the
17 time the consignment agreement is executed. Defendants further represent to consumers that
18 they do not take any portion of the value received when a consumer's vehicle is sold on
19 consignment. Defendant's know these representations to be false and intend for consumers
20 to rely on these representations.
21

22 Plaintiffs CARRIE CHING and STEVE HOFMEYR found Dreamchasers
23 RV online. were induced to enter into a consignment agreement with the Defendants based
24 on their assurances that the cost to them would be only \$1095.00.
25

26 D&R RC, LLC and XZAVION GC&S PROPERTIES, LLC's agents and
27 employees promised to sell the Plaintiff's 2019 Mercedes Galleria for a flat fee of \$1095.00
28 and agreed that the entirety of the sales proceeds would be applied the the remainder of the
29 loan Plaintiff's had taken out to pay for the vehicle.
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[PROPOSED] DEFAULT JUDGMENT - 4

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2 Defendants D&R RC, LLC and XZAVION GC&S PROPERTIES, LLC,
3 through its' agents and employees eventually sold the vehicle on September 11, 2019, for a
4 total of \$103,218.13 including a trade in valued at \$5,500. Defendants represented to the
5 Plaintiffs that the vehicle was sold on October 1, 2019 for only \$95,000.00. Defendant's
6 knew these representations to be false and intended for the Plaintiffs to rely on these
7 representations.
8

9
10 Defendants D&R RC, LLC and XZAVION GC&S PROPERTIES, LLC then
11 induced the Plaintiff's to wire \$24,072.95 and that when the wire was completed,
12 Defendants would pay off the full amount owed on the vehicle. Plaintiffs relied on these
13 representations, had the right to rely on them, and did not know they were false.
14 Accordingly, they were induced to wire the funds to an account owned by D&R RV, LLC.
15

16
17 Defendants D&R RC, LLC and XZAVION GC&S PROPERTIES, LLC have
18 harmed the Plaintiffs by subsequently failing and to pay them sales from the proceeds or to
19 pay their vehicle loan, as they promised to. Plaintiffs continue to suffer damages as they are
20 forced to continue paying insurance and loan payments each month and are deprived of the
21 use of the vehicle.
22

23
24 Plaintiffs have provided proof that they owned the 2019 Mercedes Galleria
25 left with the Defendants, that Defendants intentionally interfered with the vehicle, and that
26 this interference deprived the Plaintiffs of possession and value of that vehicle.
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29 Defendants conduct affects the public interest and has the capacity to mislead
30 a substantial number of Washington consumers in Washington and constitute unfair or
31 deceptive acts or practices in trade or commerce in violation of RCW 19.86.020.
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[PROPOSED] DEFAULT JUDGMENT – 5

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1 Defendants' conduct also affects the public interest through their advertising activity and
2 their substantial physical presence in Skagit County.
3

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6 **IV. CONCLUSIONS OF LAW**

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8 1 This Court has jurisdiction over the subject matter of this action and the
9 parties hereto, and Plaintiff's complaint states claims upon which relief may be granted.
10

11 2. Defendants conduct, as described in Findings of Fact Nos. 1-14, constitute
12 fraud, conversion, and violations of Washington's Consumer Protection Act.
13

14 3. Plaintiffs are entitled to the relief requested in their Motion for Entry of
15 Default and a Decree ordering Defendants to the amounts as described herein.
16

17 4. The Court having made the foregoing Findings of fact and Conclusions of
18 Law, and in accordance therewith, the Court enters the following:
19

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21 **V. JUDGMENT AND DECREE**

22 1. Defendants D&R RC, LLC and XZAVION GC&S PROPERTIES, LLC are
23 indebted to Plaintiffs in the amount of \$197,502.18.
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25 2. Defendants are ordered to pay to the Plaintiffs a judgment in the amount of
26 \$197,502.18.
27

28 3. All payments made to satisfy this Judgment shall be in the form of a valid
29 check paid to the order of "Peterson Baker, P.S. in trust for Carrie Ching and Steven
30 Hofmeyr." Payments shall be sent to Peterson Baker P.S., 110 Prefontaine Pl. S. Suite 304,
31 Seattle, Washington or delivered personally to one of its agents.
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33 4. Jurisdiction is retained for the purpose of enabling Plaintiffs to apply to the
34 Court for further relief from individual defendants who are not the subjects of this order and
35 for the enforcement and compliance with the terms of this Judgment.
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[PROPOSED] DEFAULT JUDGMENT - 6

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3 Dated this 23rd day of Jan, 2020, at Mt. Vernon, Washington.
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10 Superior Court Judge/Commissioner
11

12
13 Presented by:
14

15 PETERSON BAKER P.S.
16

17 Michelle Hull 28409.
18

19 Michelle Hull, WSBA No. 28409
20

21 Jerry T. Baker, WSBA No. 44199
22

23 PETERSON BAKER, P.S.
24

25 110 Prefontaine Pl. S. # 304
26

27 Seattle, WA. 98104
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[PROPOSED] DEFAULT JUDGMENT - 7

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