

**FILED**  
KING COUNTY, WASHINGTON  
FEB 27 2009

THE HONORABLE MICHAEL J. FOX

SUPERIOR COURT CLERK  
HEARING DATE:  
FRIDAY, FEBRUARY 27, 2009 @ 10:15 A.M.  
WITHOUT ORAL ARGUMENT

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

V & E MEDICAL IMAGING SERVICES,  
INC.,

Plaintiff,

v.

MARK DeCOURSEY, et ux., et al.,

Defendants,

v.

RICHARD BIRGH, et al.,

Third-Party Defendants.

NO. 06-2-24906-2 SEA

JUDGMENT FOR MARK AND CAROL  
DECOURSEY INCLUDING  
ATTORNEYS' FEES AND COSTS  
AGAINST PAUL H. STICKNEY, PAUL  
H. STICKNEY REAL ESTATE  
SERVICES, INC., WINDERMERE REAL  
ESTATE/SCA, INC.

Pursuant to RCW 4.64.030, the following information should be entered in the Clerk's  
Execution Docket:

1. **Judgment Creditor:** Mark and Carol DeCoursey
2. **Judgment Creditor's Attorney:** Brent L. Nourse,
3. **Judgment Debtors:** Paul H. Stickney, Paul H. Stickney Real Estate Services, Inc.,  
Windermere Real Estate/SCA, Inc.
4. **Amount of Judgment:** \$522,200.00
5. **Amount of Interest Owed to Date of Judgment:** \$0.
6. **Total Taxable Costs:** \$45,000.00
7. **Attorneys' Fees:** \$463,427.00
8. **Interest:** The total amount of the judgment shall bear interest at the statutory rate as  
provided under RCW 4.56.110(3), which provides a rate of 3.49% per annum on the  
declining balance from the date of the original judgment filed on November 14, 2008  
until fully paid

JUDGMENT FOR MARK AND CAROL  
DECOURSEY INCLUDING ATTORNEYS' FEES AND  
COSTS - 1

123057.0001/1675336.1

LANE POWELL PC  
1420 FIFTH AVENUE, SUITE 4100  
SEATTLE, WASHINGTON 98101-2338  
206.223.7000 FAX: 206.223.7107

1 This matter was tried by a jury of twelve from October 21, 2008 to October 29, 2008,  
2 the Honorable Michael J. Fox presiding. Defendant and Third-Party Plaintiffs Mark and  
3 Carol DeCoursey ("DeCourseys") appeared through their attorneys of record Brent L. Nourse  
4 and Andrew J. Gabel. Third-party Defendants Paul H. Stickney, Paul H. Stickney Real Estate  
5 Services, Inc., and Windermere Real Estate/SCA, Inc. appeared through their attorneys of  
6 record Matt Davis and L'Nayim Shuman-Austin. The parties presented evidence and  
7 testimony to the jury. On October 30, 2008, the jury returned a verdict in favor of the  
8 DeCourseys on their claim for Breach of Fiduciary Duty in the amount of \$515,900. The jury  
9 also returned a verdict in favor of the DeCourseys on their claim for violation of the  
10 Washington Consumer Protection Act in the amount of \$6,300 for a total amount of damages  
11 of \$522,200. A copy of the jury's special verdict is attached as **Exhibit A**.

12 On February 6, 2009, the Honorable Michael J. Fox heard Defendant and Third-Party  
13 Plaintiffs Mark and Carol DeCoursey's Motion for Attorneys' Fees and Costs. Third-party  
14 Defendants Paul H. Stickney, Paul H. Stickney Real Estate Services, Inc., and Windermere  
15 Real Estate/SCA, Inc. appeared at the hearing through their attorney of record Matt Davis.  
16 The Honorable Michael J. Fox granted DeCourseys' Motion for Attorneys' Fees and Costs in  
17 the amount of \$463,427.00 in Attorneys' Fees and \$45,000.00 in Costs. A copy of the  
18 Court's February 6, 2009 Order is attached hereto as **Exhibit B**.

19 Consistent with the jury's verdict in this action, the Court enters final judgment in this  
20 matter as follows:

21 1. The DeCourseys are awarded a total amount of \$1,030,427.00 against Paul  
22 Stickney, Paul H. Stickney Real Estate Services, Inc. and Windermere Real Estate/SCA, Inc  
23 jointly and severally.

24 2. The total amount of the judgment, including interest accrued to date and costs  
25 and attorneys' fees, shall bear interest at the statutory rate as provided under RCW  
26

JUDGMENT FOR MARK AND CAROL  
DECOURSEY INCLUDING ATTORNEYS' FEES AND  
COSTS - 2

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1 4.56.110(3), which provides a rate of 3.49% per annum on the declining balance from the date  
2 of the original judgment filed on November 14, 2008 until fully paid.

3  
4 DONE IN OPEN COURT on Feb, 27, 2009.

5  
6 

7 The Honorable Michael J. Fox

8 Presented by:

Presentation waived by:

9 Lane Powell PC

Demco Law Firm

10  
11 By: 

By: 

12 Brent L. Nourse, WSBA No. 32790  
13 Andrew J. Gabel, WSBA No. 39310  
14 Abraham K. Lorber, WSBA No. 40668  
Attorneys for Mark and Carol DeCoursey

15 Matt Davis, WSBA No. 20939  
16 L'Nayim Shuman-Austin, WSBA No.  
17 30505  
18 Attorneys for Windermere Real Estate

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JUDGMENT FOR MARK AND CAROL  
DECOURSEY INCLUDING ATTORNEYS' FEES AND  
COSTS - 3

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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on January 17, 2009, I caused to be served a copy of the foregoing  
3 Judgment for Mark and Carol DeCoursey Including Attorneys' Fees and Costs Against Paul  
4 H. Stickney, Paul H. Stickney Real Estate Services, Inc., Windermere Real Estate/SCA, Inc.  
5 on the following person(s) in the manner indicated below at the following address(es):

6 Matt Davis  
7 Demco Law Firm  
8 5224 Wilson Avenue S., Ste. 200  
Seattle, WA 98118-2587  
mdavis@demcolaw.com

Michele K. McNeill  
Law Office of Michele K. McNeill PLLC  
2135 112th Avenue, Ste. 290  
Bellevue, WA 98004-2923  
michele@skylinelaw.com

- 9  
10  by **CM/ECF**  
11  by **Electronic Mail**  
12  by **Facsimile Transmission**  
 by **First Class Mail**  
 by **Hand Delivery**  
 by **Overnight Delivery**

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Melissa Galland

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JUDGMENT FOR MARK AND CAROL  
DECOURSEY INCLUDING ATTORNEYS' FEES AND  
COSTS - 4

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