

FILED

12 NOV -2 PM 12:06

KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA

HON. KIMBERLEY PROCHNAU
Summary Judgment
11/2/12 at 9:30 a.m.

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

IN AND FOR THE COUNTY OF KING

WINDERMERE REAL ESTATE/CAPITOL
HILL, INC.,

Plaintiff,

v.

MELANIE POLIK AND JOHN DOE POLIK,

Defendants.

NO. 12-2-06755-4 SEA

ORDER DENYING DEFENDANTS'
MOTION FOR SUMMARY
JUDGMENT AND GRANTING
PLAINTIFF'S CROSS-MOTION FOR
SUMMARY JUDGMENT

LCM
CMB

THIS MATTER having come on regularly for hearing before the court this date; Plaintiff appearing by and through its attorney, Lars E. Neste; Defendant appearing by and through her attorney of record, Nelson Berry; and the court having reviewed the following:

- Defendants' Motion for Summary Judgment;
- Declaration of Melanie Polik in Support of Defendants' Motion for Summary Judgment and attachments thereto;
- Plaintiff's Response to Defendants' Motion for Summary Judgment and Cross-Motion for Summary Judgment;
- Declaration of Lars Neste and attachments thereto;
- Declaration of George Sandison;
- Defendants' Reply Brief;

ORDER DENYING DEFENDANTS' MOTION FOR SUMMARY
JUDGMENT AND GRANTING PLAINTIFF'S CROSS-MOTION FOR
SUMMARY JUDGMENT - 1

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- Defendants' Reply in Support of Motion for Summary Judgment and in Response to Plaintiff's Cross-Motion for Summary Judgment; and
- Strict Reply Declaration in Support of Motion for Summary Judgment and in Response to Plaintiff's Cross-Motion for Summary Judgment.

The court, having considered the pleadings filed in this action and the argument of counsel, SO FINDS:

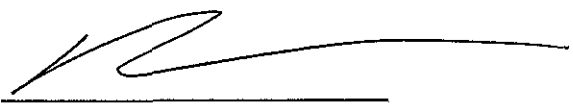
~~There is no genuine material issue of fact concerning Plaintiff's right to a real estate commission.~~

Based on the above findings it is ORDERED, ADJUDGED AND DECREED as follows:

Defendants' Motion for Summary Judgment is DENIED; and

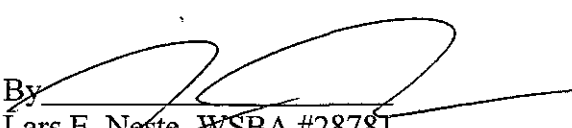
~~Plaintiff's Cross-Motion for Summary Judgment is GRANTED.~~

DONE IN OPEN COURT this 2 day of NOV, 2012.


Judge/Court Commissioner

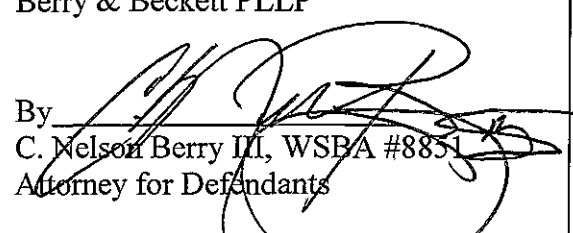
Presented by:

Demco Law Firm, P.S.

By 
Lars E. Neste, WSBA #28781
Attorney for Plaintiff

Approved for entry by:

Berry & Beckett PLLP

By 
C. Nelson Berry III, WSBA #8851
Attorney for Defendants

ORDER DENYING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND GRANTING PLAINTIFF'S CROSS-MOTION FOR SUMMARY JUDGMENT - 2

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