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SUPERIOR COURT OF WA.
SHELTON, WASH

BY: BP 5 DEPUTY

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR MASON COUNTY**

**LAKE CUSHMAN COMPANY, a Washington)
corporation,)**

Plaintiff,)

vs.)

**LAKE CUSHMAN MAINTENANCE)
COMPANY, a Washington corporation,)
Defendant.)**

NO. 21-2-00341-23

MOTION TO JOIN PARTIES

21-2-00341-23
MT 8
Motion
11379944



COMES NOW the Plaintiff herein, LAKE CUSHMAN COMPANY, a Washington corporation, by and through their attorneys STEPHEN WHITEHOUSE and JULIE NICHOLS of WHITEHOUSE & NICHOLS, LLP, and moves this court, pursuant to CR 19, to join the following parties as necessary parties:

1. NED H. HART and LYNDA HART, TRUSTEES, REVOCABLE TRUST AGREEMENT OF NED H. HART AND LYNDA HART DATED APRIL 20, 2000;
2. CHRISTOPHER JOHN TARANTINO and JENNIFER LYNN TARANTINO, husband and wife;
3. DOUG L. LARSON and SUSAN M. LARSON, husband and wife;

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**WHITEHOUSE & NICHOLS, LLP
Attorneys at Law**

P.O. BOX 1273
601 W. RAILROAD AVE., SUITE 300
SHELTON, WASHINGTON 98584

(360) 426-5885 • FAX (360) 426-6429

- 1 4. COLLIN DERANLEAU and LAURIE DERANLEAU, a married couple;
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- 3 5. ANTHONY R. TURK, an unmarried man and JONATHAN N. TURK, a married man
- 4 as his separate property, as Joint Tenants with Rights of Survivorship and not as tenants
- 5 in common;
- 6 6. KEVIN STROMAN and JEROMY PETERSON, both unmarried persons;
- 7
- 8 7. RICHARD H. REID and SANDRA L. REID, husband and wife, and BRIAN R. REID
- 9 and STACIE J. REID, husband and wife, and KEVIN M. REID, an unmarried man, and
- 10 JERMEY REID, an unmarried man, and MALONE M. ELDRIDGE, an unmarried
- 11 woman;
- 12 8. RICHARD L. WHARTON and LAURA E. WHARTON, TRUSTEES, OR THEIR
- 13 SUCCESSORS IN TRUST, UNDER THE RICHARD L. AND LAURA WHARTON
- 14 IRREVOCABLE TRUST DATED MAY 04, 2016;
- 15 9. KEITH A. LOWRY and CHRISTINE L. LOWRY, husband and wife, and MITCHELL
- 16 D. LOWRY, a single man and ELSA L. WHITE-SEATON, a married woman as her
- 17 separate property, all as joint tenants with right of survivorship and not as tenants in
- 18 common;
- 19
- 20 10. JAMES E. BUSH and PATRICIA A. BUSH, CO-TRUSTEES, OR THE
- 21 SUCCESSORS IN TRUST OF THE BUSH FAMILY TRUST DATED AUGUST 25,
- 22 2016;
- 23 11. MITCHEL SACHS and KAREN M. SACHS, husband and wife;
- 24 12. JAN TVETEN and RUTH L. TVETEN, his wife;
- 25 13. MARK ENSOR, an unmarried person;
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- 14. DAVID B. VALDES, JR., a single man;
- 15. MATTHEW WINTER and KATHLEEN WINTER, a married couple;
- 16. LYLE E. and EDNA CALHOON, status unknown;
- 17. RICHARD A. LISKE AND KELLY A. LISKE, husband and wife;
- 18. LORI SMITH, a single woman; and
- 19. JODY DECLEMENTS and NICOLE DECLEMENTS, a married couple.

This motion is based upon the affidavit of counsel as set forth below.

DATED this 10 day of November 2021.


STEPHEN WHITEHOUSE, WSBA #6818
JULIE NICHOLS, WSBA # 37685
WHITEHOUSE & NICHOLS, LLP
Attorneys for Plaintiff

1 STATE OF WASHINGTON)
2) ss.
3 COUNTY OF MASON)

4 I, STEPHEN WHITEHOUSE, after being first duly sworn upon oath, do hereby depose
5 and state as follows:

6 I hereby incorporate by reference the Complaint and Answer filed herein.

7 The analysis of CR 19 requires two steps. First, a determination whether the parties are
8 needed for just adjudication. CR 19(a). Second, if the absent parties are needed, but it is not
9 possible to join those parties, then the court must determine whether the parties are
10 indispensable. CR 19(b); Department of Social & Health Servs. v. Latta, 92 Wash.2d 812, 818,
11 601 P.2d 520 (1979).

12 The Defendant has asserted, as an affirmative defense, the failure to join necessary
13 parties, without identifying anyone in particular. We can assume they are referencing the lessees
14 along Mackinaw Road, which is the roadway that is the subject of this action. The persons
15 sought to be joined are the sublessees of Lots 1 through 9 of the Plat of Westside No. 1 Block
16 1 of the Lake Cushman development recorded under Mason County Auditor's File Number
17 284049 58620. Their access and other rights/obligations under the lease assignment will be
18 affected by the ultimate disposition of the case.
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23 _____
24 Stephen Whitehouse, WSBA #6818
25 WHITEHOUSE & NICHOLS, LLP.
26 Attorney for Plaintiff

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Subscribed and sworn to before me this 10th day of November 2021.



Notary Public in and for the State of Washington
Print Name Michele T. Clark
Residing at Shelton WA
My Commission expires 5-31-21

