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KING COUNTY  
SUPERIOR COURT CLERK  
THE HONORABLE JUDITH GARRATT  
Hearing: December 13, 2015 at 9:00 AM  
CASE NUMBER: 12-2-21829-3 SEA  
With Oral Argument

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF KING

GEOFF TATE and SUSAN TATE, a married couple,

Plaintiffs,

v.

EDDIE JACKSON and TERESA GOLDEN-JACKSON, a married couple; SCOTT ROCKENFIELD and MISTY ROCKENFIELD, a married couple; MICHAEL WILTON and KERRIE LYNN WILTON, a married couple; TRI-RYCHE CORPORATION, a Washington corporation; QUEENSRYCHE MERCHANDISING, INC., a Washington corporation; and, MELODISC LTD., a Washington corporation,

Defendants.

NO. 12-2-21829-3 SEA

PLAINTIFFS' REPLY IN SUPPORT OF THEIR MOTION FOR PARTIAL SUMMARY JUDGMENT

The day after the Tates filed their Response, Mr. Tate and Defendants received another email from Mr. Sussman regarding Defendants' continued mismanagement of the Queensryche Companies. Declaration of Geoff Tate in Further Support of Plaintiffs' Motion for Partial Summary Judgment ("Tate Reply Decl."), ¶ 2 and Exhibit 1 to Tate Reply Decl. After twice subjecting Melodisc, Ltd., to IRS penalties, Defendants have now failed to file a Washington State excise tax return for Queensryche Merchandising, Inc. *Id.* Defendants, as

1 the only Directors on the oppressive executive committee, have exclusive control of  
2 Queensryche Merchandising. But Mr. Tate, as a shareholder, still has to pay one quarter of  
3 the penalties and interest imposed by the Washington State Department of Revenue (the  
4 “DOR”). Making matters worse, the DOR procedures for collecting delinquent taxes state  
5 that the DOR will first mail letters or notices of the delinquency before having to resort to  
6 calling the delinquent taxpayer. Exhibit 2 to Tate Reply Decl. Defendants apparently ignored  
7 the letters or notices, which forced the DOR to call about the delinquent return.<sup>1</sup> Defendants’  
8 actions, in failing to file and pay the taxes and ignoring the DOR’s attempts to rectify the  
9 situation, harmed Queensryche Merchandising and Mr. Tate. The entirely avoidable penalties  
10 and interest assessed against Queensryche Merchandising are per se evidence that Defendants  
11 are causing waste to the Queensryche Companies.  
12

13  
14 DATED this 9<sup>th</sup> day of December, 2013.

15 VERIS LAW GROUP PLLC

16  
17 By /s/ Joshua C. Allen Brower

18 Joshua C. Allen Brower, WSBA No. 25092

19 Benjamin J. Stone, WSBA No. 33436

20 Denver R. Gant, WSBA No. 38552

21 Attorneys for Geoff and Susan Tate  
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28 <sup>1</sup> Last December, Defendants fired Mr. Sussman from his duties with Queensryche Merchandising and retained the services of a different accountant. Luckily, Defendants failed to change the phone number with the DOR or Mr. Sussman would not have been able to draw Defendants’ attention to this unfortunate situation.

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**DECLARATION OF SERVICE**

I declare under penalty of perjury under the laws of the State of Washington that on this date I caused the foregoing document to be served on the following persons via the methods indicated:

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- Overnight Delivery via Fed Ex
- First Class Mail via USPS
- Hand-Delivered via ABC Legal Messenger
- Facsimile
- E-mail / King County E-Service

Dated at Seattle, Washington, this 9<sup>th</sup> day of December, 2013.

s/ Alison Sepavich  
Alison Sepavich, Paralegal

4841-8058-0119, v. 1