

THE HONORABLE SUSAN AMINI
KING COUNTY
NOTED WITHOUT ORAL ARGUMENT ON AUGUST 20, 2013
SUPERIOR COURT CLERK

E-FILED

CASE NUMBER: 12-2-21829-3 SEA

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

GEOFF TATE and SUSAN TATE, a
married couple,

Plaintiffs,

vs.

**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

**DECLARATION OF COUNSEL,
THOMAS T. OSINSKI, JR.**

I, Thomas T. Osinski, Jr., attorney for the above named Defendants, declare as follows:

I am the counsel of record for the individual Defendants Eddie Jackson, Michael Wilton and Scott Rockenfield in this action. This suit was filed in June of 2012.

1 Plaintiffs engaged in no discovery until April 2013, a full 10 months later. Defendants
2 provided responses to that discovery in May 2013. Although the responses were not
3 Bates stamped, they were labeled by Request for Production number or self-evident
4 description (e.g. Emails with "NAME") and the vast majority was supplied in PDF
5 format allowing for quick indexing and searching. No issues with the sufficiency of
6 those answers was raised by Plaintiffs until July 31, 2013, more than two months after
7 the answers were supplied. Regardless of any legitimate reason to object, Defendants
8 have been endeavoring diligently to supply any missing responsive discovery
9 documents, even going as far as offering stipulations/accommodations on
10 confidentiality designations to speed up the process. Those accommodations were
11 rejected or ignored. Nonetheless, within three weeks of the issues first being raised, and
12 by the hearing of this motion, it is anticipated that all additional documents will be
13 supplied.

14 Attached to this Declaration are true and correct copies of the following
15 documents as exhibits:

16 Exhibit 1: A chain of emails picking up where the correspondence concerning
17 discovery provided by Plaintiff leaves off.

18 SIGNED this 16th day of August, 2013, at Tacoma, Washington, Pierce County.

20 OSINSKI LAW OFFICES, PLLC

21 By s/ Thomas T. Osinski, Jr.

22 Thomas T. Osinski, Jr., Esq., WSBA #34154

23 Attorney for Defendants

24 Jackson, Rockenfield and Wilton

1 **DECLARATION OF SERVICE**

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

5 Joshua C. Allen
6 Benjamin J. Stone
7 Denver R. Grant
8 VERIS LAW GROUP, PLLC
9 1809 Seventh Avenue, Suite 1400
10 Seattle WA 98101
11 206.829.9590 (tel)
12 206.829.9245 (fax)

- 13 Overnight Delivery via Fed Ex
14 First Class Mail via USPS
15 Hand-delivered via ABC Legal Messenger
16 Facsimile
17 Email

18 DATED this 16th day of August, 2013, at Tacoma, Washington.

19 OSINSKI LAW OFFICES, PLLC

20 By s/ Thomas T. Osinski, Jr.
21 Thomas T. Osinski, Jr., Esq., WSBA #34154
22 Attorney for Defendants
23 Jackson, Rockenfield and Wilton

Thomas Osinski

From: Thomas Osinski [tto@osinskilaw.com]
Sent: Friday, August 09, 2013 3:09 PM
To: 'Josh Brower'
Cc: 'Denver Gant'; 'Alison Sepavich'
Subject: QR Emails

Josh,

My clients have finished reviewing all emails and produced any and all emails with attachments in their possession in PDF form to me. Sorry for the oversight.

At this point if you are able to accept DVD-Roms I can transmit the documents by messenger that way. If you are set up to use Drop Box or some similar files sharing system we can even do that and speed up the process even more. If neither works I can rely on CD-Roms as I have done previously.

A related issue though is that there will be some small delay as I have to have the PDFs of the emails watermarked "Confidential" which may take a day or two, but as time is of the essence if you were willing to stipulate that simply adding ".confidential" to top level file folders and/or labeling the physical CD/DVD confidential is enough to invoke the protection order for all docs/emails then we can accelerate the process.

Thanks,
Tom

PS I should have documents from the third parties you listed next week. Let me know if you think there are more.

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www.osinskilaw.com

NOTICE: This communication may contain privileged or other confidential information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. The unauthorized disclosure, distribution, copying, or use of information contained in this communication may violate the Electronic Communications Privacy Act, 18 U.S.C. 2510 et seq., the Washington Privacy Act, RCW 9.73, and Article I, section 7 of the Washington Constitution.