

1 THE HONORABLE MARY E. ROBERTS
2 Hearing Date: October 8, 2004
3 (Without Oral Argument)
4 (But Oral Argument Requested By Moving Party)

5
6 SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

7
8 INNIS ARDEN CLUB, INC., et al.,


9 Plaintiff,

10 v.

11 JOHN H. BINNS, JR., et ux, et al.,

12 Defendant.

NO. 84-2-09622-5

[PROPOSED] 

ORDER DENYING THE TRUST'S MOTION
TO APPOINT A SPECIAL MASTER AND
AWARDING THE HOLLINRAKES'
ATTORNEYS FEES

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16 THIS MATTER having come on regularly before the undersigned judge of the above-
17 entitled Court on the Tollett Credit Shelter Trusts's Motion for Appointment of Special Master to
18 Promptly Adjudicate Status of Tree, and the Court having considered the following:

- 19 1. Motion for Appointment of Special Master to Promptly Adjudicate Status of Tree;
- 20 2. Declaration of Sonja Vonheim-Condon;
- 21 3. The Hollinrakes's Opposition to the Trust's Motion to Appoint A Special Master;
- 22 4. Declaration of John D. Hollinrake in Opposition to the Trust's Motion to Appoint
- 23 A Special Master;
- 24 5. Innis Arden's Response to the Tollett Trust's Motion for Appointment of Special
- 25 Master;
- 26

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Cairncross & Hempelmann, P.S.
Law Offices
524 Second Avenue, Suite 500
Seattle, Washington 98104-2323
Phone: 206-587-0700 • Fax: 206-587-2308

ORIGINAL

6. Declaration of Michael L. Jacobs in Support of Innis Arden's Response to the Tollett Trust's Motion for Appointment of Special Master;
7. Declaration of Peter J. Eglick in Support of Innis Arden's Response to the Tollett Trust's Motion for Appointment of Special Master;
8. The Hollinrakes' Reply to Innis Arden's Response to the Tollett Trust's Motion for Appointment of Special Master;
9. Reply Memorandum in Support of Motion for Appointment of Special Master to Promptly Adjudicate Status of Tree;
10. Reply Declaration of Sonja Vonheim - Condors;
11. Reply Declaration of Michael Pierson, and
12. various "Joinders" in the Motion to Appoint Special Master.

and having considered the oral argument of the parties, if any, and being otherwise duly advised,

IT IS HEREBY ORDERED that the Tollett Credit Shelter Trust's Motion for Appointment of Special Master to Promptly Adjudicate Status of Tree is DENIED.

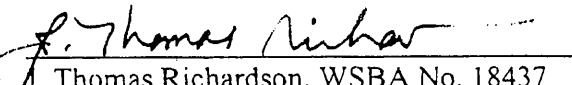
IT IS FURTHER ORDERED that the Tollett Credit Shelter Trust shall pay the Hollinrakes' attorneys fees and costs incurred in responding to and arguing this motion, in an amount to be determined after review of subsequent submissions by the parties.

Dated this 21 day of October, 2004.


JUDGE MARY E. ROBERTS

Presented By:

CAIRNCROSS & HEMPELMANN, P.S.


J. Thomas Richardson, WSBA No. 18437
Stephen P. VanDerhoef, WSBA No. 20088
Attorneys for John D. and Karen Hollinrake

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