



LANE POWELL
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November 18, 2010

VIA E-MAIL/U.S. MAIL

Mark and Carol DeCoursey
8209 172nd Avenue NE
Redmond, WA 98052-3902

Re: Your November 7, 2010 Letter

Dear Mark and Carol:

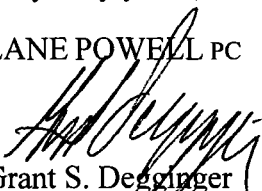
Several hours after receiving the Court of Appeals' lengthy opinion affirming both the judgment and the attorneys' fee award from the jury trial against Windermere, we received your November 7 letter. While it is tempting to drop everything and prepare a point-by-point response to the items raised in your letter, this is neither the time nor the place for such an exercise. Instead, we have directed our energies at preparing the application for attorneys' fees on appeal and, if necessary, to addressing any potential motions for reconsideration or petitions for review to the Washington Supreme Court.

Suffice it to say, we believe that the firm has been extremely fair and gracious with you and that we continue to expect you to abide by the written agreements you have entered into with us.

Ryan McBride and Andrew Gabel advised me that yesterday they conferred with you via telephone regarding the attorneys' fee application that Ryan prepared and that you reviewed and approved the application. They also mentioned that you indicated that you intend to prepare and file a pro se motion to publish the Court of Appeals' opinion. Ryan advised against filing such a motion because, among other reasons, it may increase the likelihood of review by the Supreme Court, potentially jeopardizing the tremendous victory obtained in the Court of Appeals. Even though we advise against filing a motion to publish, I understand that Ryan offered to prepare a narrowly tailored motion on your behalf for a flat \$800 fee. Please reconsider your decision to proceed with a pro se motion to publish. Ryan has done an exceptional job successfully delivering a great result on the appeal, and we encourage you to take his advice to heart.

Very truly yours,

LANE POWELL PC



Grant S. Degginger

GSD:mgr
cc: Ryan P. McBride
Andrew J. Gabel
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