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Cross Appeal

1 message

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Tue, Feb 15, 2011 at 8:39 AM

To: "McBride, Ryan P." <mcbriider@lanepowell.com>, "Degginger, Grant" <DeggingerG@lanepowell.com>

Cc: Carol DeCoursey <cdecoursey@gmail.com>, "Gabel, Andrew J." <GabelA@lanepowell.com>

Ryan,

Please begin immediately to draft our two issues for cross-appeal to append to our Answer to Windermere's Petition. I believe under RAP 13.4(d), we have 30 days after service of the Petition to serve our Answer, and the weekend forces this deadline back to Friday the 18th, as you mentioned.

Can we see a draft tomorrow morning?

Grant,

The economics of the situation do not leave us much choice, as I showed yesterday with the numbers. Giving away \$150-175K is simply beyond consideration. You'd feel the same if the money were coming out of your pocket.

Maybe it would help you to understand our decision if you think about the difference between new money and old money. If this were new money too us, your argument might make sense. We might be disappointed, but the remainder is better than nothing.

However, to us, this is old money. This is money we had and spent on the renovation and lawsuit, or borrowed to sustain the same. We entered this thing intending to get back what is ours. To walk away from it now would be irrational, and disastrous to the enterprise.

Your Declaration about the economics of law firms would be so helpful. It might just be what turns the key. Consumers deserve fine representation when they get ripped off by large, predatory corporations. We think the judges will agree.

Grant, we expect your help.

—
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