

From: Laham, Michael S
Sent: Thursday, July 14, 2011 8:57 AM
To: 'PCSDCIVIL'; 'pcsdcivil@co.pierce.wa.us'
Subject: RE:

FROM: Michael S. Laham and Elana Laham
530 Burnett Avenue North Apartment #10
Renton, WA 98057
E-mail: michael.s.laham@boeing.com

TO: Sergeant John Lester
Craig S. Adams, Legal Advisor
Civil Unit, Pierce County Sheriff's Department
930 Tacoma Avenue South, First Floor
Tacoma, WA 98402
Phone: (253) 798-7520
FAX: (253) 798-6712
E-mail: pcsdcivil@co.pierce.wa.us

We send this e-mail to document a telephone conversation yesterday afternoon, on Wednesday, 13 July 2011, between Michael Laham, plaintiff in Small Claims Court Case 999310, MICHAEL S. LAHAM AND ELANA LAHAM VS SAWYER CORPORATE GROUP INC., and Christine, legal assistant to the Civil Unit of the Pierce County Sheriff's Department. Purpose of the call was to inquire about the status of service of a summons package for this same court case upon James A. Krueger, the Registered Agent for Sawyer Corporate Group, Inc., of Vandenberg, Johnson & Gandara, whose coordinates are:

1201 Pacific Avenue, Suite 1900 (Wells Fargo Plaza)
Tacoma, WA 98402-4391
Phone: (253) 383-3791
FAX: (253) 383-6377

In this telephone conversation, Christine reported that Craig S. Adams, counselor for the Sheriff Department, did serve this summons package on James A. Krueger yesterday, Wednesday, 13 July 2011, at 2:24 PM, according to the records kept in a computer used by the Pierce County Sheriff's Department to track service of summons. Christine also reported that the Civil Unit prepared the affidavit of service for this summons, obtained the signature of Craig S. Adams on it, and was planning to mail out a copy of that affidavit of service the next day, which is Thursday, 4 July 2011, to our home address of 530 Burnett Avenue North, Apartment Number 10, Renton, WA 98057 .

Sincerely Yours,

Michael S. Laham and Elana Laham
350 Burnett Avenue North, Apartment # 10
Renton, WA 98057
E-mail: michael.s.laham@boeing.com

-----Original Message-----

From: PCSDCIVIL
Sent: Wednesday, July 13, 2011 12:12 PM
To: Laham, Michael S [mailto:michael.s.laham@boeing.com]
Subject: RE:

Received - thank you.

From: Laham, Michael S [mailto:michael.s.laham@boeing.com]
Sent: Wednesday, July 13, 2011 11:48 AM
To: PCSDCIVIL
Subject:

FROM: Michael S. Laham and Elana Laham
530 Burnett Avenue North Apartment #10
Renton, WA 98057
E-mail: michael.s.laham@boeing.com

TO: Sergeant John Lester
Craig S. Adams, Legal Advisor
Civil Unit, Pierce County Sheriff's Department
930 Tacoma Avenue South, First Floor
Tacoma, WA 98402
Phone: (253) 798-7520
FAX: (253) 798-6712
E-mail: pcsdcivil@co.pierce.wa.us

We send this e-mail to document a telephone conversation this morning, on Wednesday, 13 July 2011, between Michael Laham, plaintiff in Small Claims Court Case 999310, MICHAEL S. LAHAM AND ELANA LAHAM VS SAWYER CORPORATE GROUP INC., and Faye, legal assistant to the Civil Unit of the Pierce County Sheriff's Department. Purpose of the call was to inquire about the status of service of a summons package for this same court case upon James A. Krueger, the Registered Agent for Sawyer Corporate Group, Inc., of Vandenberg, Johnson & Gandara, whose coordinates are:

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In this telephone conversation Faye reported that the reason why the service of this summons package has not yet happened is because James A Krueger has been on vacation. Per an e-mail internal to the Pierce County Sheriff's Department, Craig S. Adams, counselor for the Sheriff Department, plans to meet with James A. Krueger today to deliver the summons package to James A. Krueger, lawyer-to-lawyer. Faye also reported that she has Michael Laham's telephone number, (425) 965-8754 , and that she will call that number to report any change of these plans to Michael Laham.

In addition, the Civil Unit of the Pierce County Sheriff's Department may also send any change of plans, or confirmation of the above plan, to our e-mail address, which is michael.s.laham@boeing.com .

Of course, we expect the Civil Unit of the Pierce County Sheriff's Department to send us a complete affidavit of service that includes the date, time, and place of service, by whom and to whom the service was made, and the signature of the server, within a couple of days after completing the service of this summons package.

And, as we stated in our two earlier e-mails (see below) of Saturday, 2 July 2011 @ 8:01 PM PST, and again on Tuesday, 5 July 2011 @ 8:45 PM PST, the Civil Unit of the Pierce County Sheriff's Department has a complete copy of the summons package, which we left with Craig S. Adams, counselor for the Sheriff Department, when we saw him on Friday, 1 July 2011.

Sincerely Yours,

Michael S. Laham and Elana Laham
350 Burnett Avenue North, Apartment # 10
Renton, WA 98057
E-mail: michael.s.laham@boeing.com

From: Laham, Michael S
Sent: Tuesday, July 05, 2011 8:45 PM
To: 'pcsdcivil@co.pierce.wa.us'
Subject:

FROM: Michael S. Laham and Elana Laham
530 Burnett Avenue North Apartment #10

Renton, WA 98057

TO: Sergeant John Lester
Craig S. Adams, Legal Advisor
Civil Unit, Pierce County Sheriff's Department
930 Tacoma Avenue South, First Floor
Tacoma, WA 98402
Phone: (253) 798-7520
FAX: (253) 798-6712
E-mail: pcsdcivil@co.pierce.wa.us

On Tuesday, 5 July 2011, we came for the second time to the office of the Civil Unit of the Pierce County Sheriff's Department, located on the first floor of 930 Tacoma Avenue South, Tacoma, WA 98402, to make sure that our summons is served on the Registered Agent of the Defendant of Small Claims Court Case 999310, MICHAEL S. LAHAM AND ELANA LAHAM VS SAWYER CORPORATE GROUP INC. We again spoke to a Lorraine, and this time she explained to us that, at no extra charge to us, the Civil Unit of the Pierce County Sheriff's Department would re-serve our summons package upon James A. Krueger, The Registered Agent for Sawyer Corporate Group, Inc., of Vandenberg, Johnson & Gandara, whose coordinates are:

1201 Pacific Avenue, Suite 1900 (Wells Fargo Plaza)
Tacoma, WA 98402-4391
Phone: (253) 383-3791
FAX: (253) 383-6377

As we stated in our earlier e-mail (see below) of Saturday, 2 July 2011 @ 8:01 PM PST, the Civil Unit of the Pierce County Sheriff's Department has a complete copy of the summons package, which we left with Craig S. Adams when we saw him on Friday, 1 July 2011.

Sincerely Yours,

Michael S. Laham and Elana Laham
350 Burnett Avenue North, Apartment # 10
Renton, WA 98057

From: Laham, Michael S
Sent: Saturday, July 02, 2011 8:01 PM
To: 'pcsdcivil@co.pierce.wa.us'
Subject:

FROM: Michael S. Laham and Elana Laham
530 Burnett Avenue North Apartment #10
Renton, WA 98057

TO: Sergeant John Lester
Craig S. Adams, Legal Advisor
Civil Unit, Pierce County Sheriff's Department
930 Tacoma Avenue South, First Floor
Tacoma, WA 98402
Phone: (253) 798-7520
FAX: (253) 798-6712
E-mail: pcsdcivil@co.pierce.wa.us

On Thursday, 23 June 2011, we came to the office of the Civil Unit of the Pierce County Sheriff's Department, located on the first floor of 930 Tacoma Avenue South, Tacoma, WA 98402, to serve summons on the Defendant of Small Claims Court Case 999310, MICHAEL S. LAHAM AND ELANA LAHAM VS SAWYER CORPORATE GROUP INC. We spoke to a Lorraine, and asked her to serve our summons on Kerry S. Bivens, President of Sawyer Corporate Group, Inc. Then, we showed her the Profit Corporation License Renewal & Annual Report for Sawyer Corporate Group, Inc., so that she could copy Kerry Biven's name and address from that sheet. After that, we changed our mind and requested that, instead of serving the summons on Kerry Bivens, we wanted it served upon the Registered Agent of Sawyer Corporate Group, Inc., who is James A. Krueger. We then gave Lorraine his address and telephone number.

On Friday, 1 July 2011, we received an affidavit of service of the above summons. The affidavit was dated Tuesday, 28 June 2011. It stated that the summons for Small Claims Court Case 999310 was served on a Ryan Sawyer, Vice-President of Sawyer Corporate Group, Inc. on 27 June 2011.

Later that same day, we went back to the office of the Civil Unit of the Pierce County Sheriff's Department. We told Lorraine that our summons had been served upon the incorrect party. We then requested, once again, that it be served upon James A. Krueger, the registered agent of Sawyer Corporate Group, Inc. Her reply was a) to insist that we told her to serve the summons on Ryan Sawyer and b) that it was O.K. to serve the summons upon Ryan Sawyer, Vice President of the Sawyer Corporate Group, Inc.

So we showed her the text of RCW 4.28.080 (9), which is the statutory law in the State of Washington that specifies on whom a summons must be served for a corporation. Nowhere in RCW 4.28.080 (9) does it allow service of a summons to go to a vice-president of a corporation. Her response was to bring out an attorney, named Craig S. Adams, who is the legal advisor for the Pierce County Sheriff Department.

He reiterated that it was O.K. to serve summons on a vice president of a

corporation and when we showed him the text of RCW 4.28.080 (9) he claimed that Case Law allows service of summons on a vice president of a corporation. After that, we asked him to give us a Case number and the references by which to look it up ourselves, so that we could verify that what he was telling us was correct. However, he refused, stating that to do so would be giving us legal advice, even though he already gave us legal advice when he claimed that it was O.K. to serve summons on a vice president of a corporation.

To check out the validity of the claim of Craig S. Adams, we looked up court cases in the appellate courts of the State of Washington and Supreme Court of the State of Washington presenting interpretation of RCW 4.28.080 (9) . We used the following hyper-link to connect to a search engine for such court cases in the State of Washington: http://www.mrsc.org/wa/courts/index_dtSearch.html . This search engine connected us to two appellate cases and three Supreme Court cases that rendered an interpretation of statutory law RCW 4.28.080 (9) , namely on whom in a corporation may a summons be served in order to be effective. Court cases so examined are listed below:

Where Case Was Heard	Name, Reference, Date, and Hyper-Link to Court Case
Appellate Court	Jane Witt v. Port of Olympia 124 Wn. App. 928, No. 31385-5-II. Division Two. December 28, 2004 124 Wn. App. 928, Witt v. Port of Olympia
Appellate Court	Crystal, China and Gold, LTD v. Factoria Center Investments, Inc. 93 Wn. App. 606, No. 41242-6-I. Division One. January 19, 1999 93 Wn. App. 606, CRYSTAL, LTD. v. FACTORIA CTR. INVS.
Supreme Court	Richard E. Johanson v. United Truck Lines 62 Wn.2d 437 No. 36491. Department One. June 27, 1963 62 Wn.2d 437, RICHARD E. JOHANSON, Plaintiff and Respondent, v. UNITED TRUCK LINES, Defendant and Relator
Supreme Court	Charles Weber et al v. Associated Surgeons, PS 166 Wn.2d 161 No. 82163-1. En Banc. Argued April 30, 2009. Decided May 7, 2009 166 Wn.2d 161, WEBER V. ASSOCIATED SURGEONS, PS
Supreme Court	The Lawyers Cooperative Publishing Company v. Frank T. Kuntz et al 73 Wn.2d 674 No. 38875. Department One. May 2 1968 73 Wn.2d 674, THE LAWYERS COOPERATIVE PUBLISHING COMPANY, Appellant, v. FRANK T. KUNTZ et al., Respondents

The result of all five cases listed above was that the appellate courts and Supreme Court of the State of Washington ruled that the text of statutory law RCW 4.28.080 (9) is to be interpreted exactly as it reads – allowing service of a summons on a corporation on exactly those persons described therein and on no other persons. This makes it abundantly clear that service of a summons upon a vice-president of a corporation is NOT effective. As we had requested on Thursday, 23 June 2011, service of the summons for this case must be either on the president or the registered agent in order to be effective.

Therefore, to resolve this matter, we need the Civil Unit of the Pierce County Sheriff's Department to serve our summons again, without charging us any additional money, since it is the Civil Unit of the Pierce County Sheriff's Department who made the error. We need the Civil Unit of the Pierce County Sheriff's Department to serve our summons upon James A. Krueger, the Registered Agent for Sawyer Corporate Group, Inc., of Vandenberg, Johnson & Gandara, whose coordinates are:

1201 Pacific Avenue, Suite 1900 (Wells Fargo Plaza)
Tacoma, WA 98402-4391
Phone: (253) 383-3791
FAX: (253) 383-6377

However if the civil unit of the Pierce County Sheriff's Department is not willing to do the right thing, then we will have no choice but to pay another \$125.00 to have the Civil Unit of the Pierce County Sheriff's Department serve a copy of this summons upon James A. Krueger, The Registered Agent for Sawyer Corporate Group, Inc., of Vandenberg, Johnson & Gandara, whose coordinates are:

1201 Pacific Avenue, Suite 1900 (Wells Fargo Plaza)
Tacoma, WA 98402-4391
Phone: (253) 383-3791
FAX: (253) 383-6377

The Civil Unit of the Pierce County Sheriff's Department has a complete copy of the summons package, which we left with Craig S. Adams when we saw him on Friday, 1 July 2011.

Sincerely Yours,

Michael S. Laham and Elana Laham
350 Burnett Avenue North, Apartment # 10
Renton, WA 98057