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4 NOV 20 2006

5 JUDGE BARBARA LINDE

6
7 **IN THE DISTRICT COURT OF THE STATE OF WASHINGTON**
8 **IN AND FOR THE COUNTY OF KING**
9 **SEATTLE DIVISION**

10 MARY GRACE LONG,

11 Plaintiff,

12 vs.

13 MILES R. LEWIS and DARNELL WEBB;

14 Defendants.

Case No.: 65-02476

**ORDER ON PLAINTIFF'S SECOND
MOTION FOR SUMMARY JUDGMENT**

Clerk's Action Required

ORIGINAL

15 This matter came before the Court on Plaintiff's second motion for an Order Granting
16 Partial Summary Judgment in determining the appropriate measure of damages for the loss of
17 Ms. Long's feline, Alice. The Court heard oral argument from all parties on November 20, 2006
18 and reviewed the pleadings filed herein.

19
20 The Court finds good cause to order the following relief. IT IS HEREBY ORDERED
21 THAT:

22 1. Plaintiff's motion is GRANTED, as follows:

23 (a) The appropriate measure of damages for the death of Alice is intrinsic value,
24 **ORDER ON PLAINTIFF'S SECOND
MOTION FOR SUMMARY JUDGMENT -**

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not replacement or fair market value.

(b) Loss of use/~~companionship~~ is a cognizable measure of damages, which the

jury may consider in calculating Alice's intrinsic value.

(c) Loss of companionship may be the subject
Dated this November 20, 2006. of testimony & argument but
may not be a "time item" measure of
damages

Barbara Linde

JUDGE BARBARA LINDE

Approved as to form: *damages*

ANIMAL LAW OFFICES

Adam P. Karp, WSB No. 28622
Attorney for Plaintiff

Approved as to Form:

GEORGE W. MCLEAN, JR. & ASSOCIATES

Alice C. Brown, WSB No. 33517
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Darnell Web, Pro Se Defendant