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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
COUNTY OF KING

COLUMBIA DEBT RECOVERY, LLC, a Washington  
limited liability company,

Plaintiff/  
Counterclaim-Defendant,

vs.

JORDAN PIERCE, an individual, and DONTE  
GARDINER, an individual,

Defendants/  
Counterclaim-Plaintiffs,

and

GUSTAVO CORTEZ, TOWANA PELTIER and  
DARIUS MOSELY,

Third-Party Plaintiffs

vs.

COLUMBIA DEBT RECOVERY, LLC, a Washington  
limited liability company,

Third-Party Defendant

NO. 20-2-16403-8 SEA

**ORDER GRANTING  
DEFENDANTS/COUNTERCLAIM-  
PLAINTIFFS/THIRD-PARTY PLAINTIFFS'  
MOTION FOR ATTORNEYS' FEES, COSTS  
AND SERVICE AWARDS**

<p>1                   and</p> <p>2   JORDAN PIERCE, DONTE GARDINER, THOMAS</p> <p>3   G. HELLER, MARY ASHLEY ANCHETA,</p> <p>4   BETHANY HANSON, MEGAN SHANHOLTZER,</p> <p>5                                   Third-Party Plaintiffs,</p> <p>6                   vs.</p> <p>7   THRIVE COMMUNITIES MANAGEMENT,</p> <p>8   LLC, a Washington limited liability</p> <p>9   company, THRIVE COMMUNITIES, INC., a</p> <p>10   Washington corporation, and BELKORP</p> <p>11   HOLDINGS, INC., a Washington</p> <p>  Third-Party Defendants.</p>	
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13                   THIS MATTER came before the Court on the Defendants/Counterclaim-Plaintiffs/Third-

14   Party Plaintiffs' Motion for Attorneys' Fees, Costs and Service Awards. Prior to ruling, the Court

15   considered the following documents and evidence:

- 16                   1.       Defendants/Counterclaim-Plaintiffs/Third-Party Plaintiffs' Motion for Attorneys'
- 17   Fees, Costs and Service Awards;
- 18                   2.       Declaration of Blythe H. Chandler in support of Defendants/Counterclaim-
- 19   Plaintiffs/Third-Party Plaintiffs' Motion for Attorneys' Fees, Costs and Service Awards;
- 20                   3.       Declaration of Sam Leonard in support of Defendants/Counterclaim-
- 21   Plaintiffs/Third-Party Plaintiffs' Motion for Attorneys' Fees, Costs and Service Awards;
- 22                   4.       Declaration of Sharon Grace in support of Defendants/Counterclaim-
- 23   Plaintiffs/Third-Party Plaintiffs' Motion for Attorneys' Fees, Costs and Service Awards;
- 24                   5.       Columbia Debt Recovery's Opposition to Defendants' and Third-Party Plaintiffs'
- 25   Motion for Attorney Fees;
- 26                   6.       Declaration of Benjamin Stone;
- 27

1 7. Declaration of Jeffrey I. Hasson in Support of Columbia Debt Recovery's  
2 Opposition to Defendants' and Third-Party Plaintiffs' Motion for Attorney Fees;

3 8. Reply in Support of Defendants/Counterclaim-Plaintiffs/Third-Party Plaintiffs'  
4 Motion for Attorneys' Fees, Costs and Service Awards;

5 9. Reply Declaration of Blythe H. Chandler in support of Defendants/Counterclaim-  
6 Plaintiffs/Third-Party Plaintiffs' Motion for Attorneys' Fees, Costs and Service Awards; and

7 10. Reply Declaration of Sam Leonard in support of Defendants/Counterclaim-  
8 Plaintiffs/Third-Party Plaintiffs' Motion for Attorneys' Fees, Costs and Service Awards.

9 Based on the foregoing, and being fully advised, Defendants/Counterclaim-  
10 Plaintiffs/Third-Party Plaintiffs' Motion for Attorneys' Fees, Costs and Service Awards is  
11 GRANTED.

12 The Court approves payment of service awards of \$1,000 to each of the Class  
13 Representatives: Gustavo Cortez, Towana Peltier, and Darius Mosley.

#### 14 **FINDINGS OF FACT & CONCLUSIONS OF LAW**

15 1. The Court finds that the Class Representatives and Third-Party Plaintiffs Gustavo  
16 Cortez, Towana Peltier, and Darius Mosley and that Defendants and Counterclaim Plaintiffs  
17 Donte Gardiner and Jordan Pierce prevailed on their claims brought under RCW 19.86.090 and  
18 as a result are entitled to their costs, including a reasonable attorney's fee.

19 2. The Court finds that the work of Class Counsel resulted in the creation of a Class  
20 Fund of \$87,000, which is approximately 83% of the CDR Classes alleged damages in this case.

21 3. The Court finds Class Counsel's litigation costs consisting of filing fees and  
22 deposition transcript costs are recoverable. See *Nordstrom, Inc. v. Tampourlos*, 107 Wn.2d 735,  
23 743, 733 P.2d 208 (1987); RCW 4.84.010. Class Counsel are awarded \$3,430.50 in costs.

24 4. Courts use the lodestar method to calculate an award of reasonable attorney's  
25 fees under the Consumer Protection Act. *Bowers v. Transamerica Title Ins. Co.*, 100 Wn.2d 581,  
26 595, 675 P.2d 193 (1983). The CPA's mandate for liberal construction applies equally to its  
27 provision for award of reasonable attorneys' fees. See *Progressive Animal Welfare Soc. v. Univ.*

1 of Wash., 114 Wn.2d 677, 683, 790 P.2d 604 (1990) (citing *Holland v. Boeing Co.*, 90 Wn.2d 384,  
2 392, 583 P.2d 621 (1978)).

3 5. There are two steps to the lodestar method: (1) calculating the “lodestar figure”  
4 by “multiplying the number of hours reasonably expended by the attorney’s reasonable hourly  
5 rates;” and (2) adjusting that figure up or down to reflect other factors such as “the contingent  
6 nature of success and the quality of work performed.” *Smith v. Behr Process Corp.*, 113 Wn.  
7 App. 306, 341, 54 P.3d 665 (2002) (citing *Bowers*, 100 Wn.2d at 597).

8 6. The Court finds that class counsel’s standard hourly rates are reasonable and  
9 approves them. Specifically the Court approves as reasonable the following rates: \$550 per  
10 hour for partners/founders Beth Terrell, Amanda Steiner, and Paul Arons; \$495 per hour for  
11 partner/founders Blythe H. Chandler and Sam Leonard; \$425 per hour for partner Elizabeth  
12 Adams; \$325 per hour for associates Britt Glass and Sarah Smith; \$275 per hour for associate  
13 Jasmin Rezaie; \$195 per hour for paralegals Jennifer Boschen and Jodi Nuss; \$125 per hour for  
14 legal assistants Holly Rota, Bradford Kinsey, Ana Amezega, and Tanya Stewart.

15 7. The Court has reviewed the Class Counsel’s declarations and billing records  
16 submitted in support of the motion. The Court finds that Class Counsel’s time records provide  
17 more than the “reasonable documentation of the work performed” that is required. *Bowers*,  
18 100 Wn.2d at 597. The time records show that Class Counsel and their staff billed a total of 499  
19 hours, corresponding to \$285,520.71 based on the rates stated above. The court finds this  
20 amount to be a reasonable lodestar.

21 8. The Court also reviewed CDR’s objections to the time. The Court finds the  
22 objections without merit.

23 9. The Court grants Class Counsel \$285,520.71 in fees, plus \$3,430.50 in litigation  
24 costs.

25 //

26 //

27 //

1 IT IS SO ORDERED.

2 DATED this 5<sup>th</sup> day of March, 2024.

3 *Electronic signature attached*

4 \_\_\_\_\_  
CHIEF CIVIL JUDGE MICHAEL R. SCOTT

5 Presented by:

6 TERRELL MARSHALL LAW GROUP PLLC

7  
8 By: /s/ Blythe H. Chandler, WSBA #43387

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19 *Attorneys for Defendants/Counterclaim-Plaintiffs/  
20 Third-Party Plaintiffs*

1 **DECLARATION OF SERVICE**

2 I, Blythe H. Chandler, hereby certify that on March 5, 2024, I caused true and correct  
3 copies of the foregoing to be served via the means indicated below:

4 Brad Fisher, WSBA #19895  
5 Email: bradfisher@dwt.com  
6 DAVID WRIGHT TREMAINE LLP  
7 920 Fifth Avenue, Suite 3300  
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- King County Electronic Filing System

11 Jeffrey I. Hasson, WSBA #23741  
12 Email: hasson@hassonlawllc.com  
13 HASSON LAW, LLC  
14 9385 SW Locust Street  
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18 *Attorneys for Plaintiff/Counterclaim-Defendant*  
19 *Columbia Debt Recovery, LLC*

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- King County Electronic Filing System

*Attorneys for Third-Party Defendants Thrive*  
*Communities Management, LLC and Thrive*  
*Communities, Inc.*

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11 *Attorneys for Third-Party Defendant*  
12 *Belkorp Holdings, Inc., d/b/a The Eden*

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13 I declare under penalty of perjury under the laws of the State of Washington and the  
14 United States that the foregoing is true and correct.

15 DATED this 5th day of March, 2024.

16 By: /s/ Blythe H. Chandler, WSBA #43387  
17 Blythe H. Chandler, WSBA #43387

King County Superior Court  
Judicial Electronic Signature Page

Case Number: 20-2-16403-8  
Case Title: COLUMBIA DEBT RECOVERY VS PIERCE ET ANO  
Document Title: ORDER RE FEES AND COSTS  
Signed By: Michael R. Scott  
Date: March 05, 2024



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Judge: Michael R. Scott

This document is signed in accordance with the provisions in GR 30.

Certificate Hash: 099C583EFDD05FB18A3076329526934213FAC4A0  
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O=KCDJA, CN="Michael Scott:  
Po6Ro6kz7RG4KIcIp8tZaw=="