



mhdecoursey . <mhdecoursey@gmail.com>

Settlement offer to Windermere

1 message

Gabel, Andrew J. <GabelA@lanepowell.com>

Thu, Oct 30, 2008 at 11:59 AM

To: Mark DeCoursey <mhdecoursey@gmail.com>, Carol DeCoursey <cdecoursey@gmail.com>

Cc: "Nourse, Brent L." <NourseB@lanepowell.com>, "Gabel, Andrew J." <GabelA@lanepowell.com>

Mark and Carol,

Please read the attached letter and call Brent. Brent is probably going to call you in a few minutes.

Thanks,

Andrew J. Gabel

Attorney at Law, [Bio](#) | [VCard](#)
Lane Powell PC
1420 Fifth Avenue, Suite 4100
Seattle, WA 98101-2338
Direct: [206.223.7026](tel:206.223.7026)
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*Lane Powell, one of Washington's "Best Workplaces" (Puget Sound Business Journal, 2008),
and one of the "100 Best Companies to Work For in Oregon" (Oregon Business magazine, 2008).*

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October 30, 2008

***ATTORNEY-CLIENT PRIVILEGE
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VIA ELECTRONIC MAIL

Mr. and Mrs. Mark DeCoursey
8209 172nd Avenue NE
Redmond, WA 98052-3902

Re: Offer of settlement to Windermere

Dear Mr. and Mrs. DeCoursey:

We are very pleased that you have expressed your happiness with our handling of the trial. Although we feel we presented the best possible case to the jury, we have to take a practical and realistic look at your chances of recovery, amount of recovery and ability to collect without a costly and time-consuming appeal. In light of these factors, we believe it is in your best interest to offer a settlement to Windermere in the amount of \$250,000.

It is very likely the jury may come back with a verdict lower than Empire's cost of repair. Mr. Dealy, of Empire Construction, testified that the cost to repair included a 55% markup for overhead and profit. The jury could easily reduce that markup by half especially with juror 7's experience in the construction industry. Moreover, there is a possibility that the judge will offset any jury verdict against the settlement from HIH.

In light of the evidence that went to the jury, Windermere very well may accept an offer in the \$250,000 range. If they do accept this settlement, you will not have to worry about any costly and time-consuming appeal. We are certain that Windermere plans to appeal this verdict if they are found liable.

Time is of the essence so please consider making this offer and please call Brent Nourse to discuss as soon as possible.

Mr. and Mrs. Mark DeCoursey
October 30, 2008
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Very truly yours,

LANE POWELL PC

A handwritten signature in black ink, appearing to be 'Brent L. Nourse', with a long horizontal stroke extending to the right.

Brent L. Nourse

BLN:AJG

cc: Mr. Andrew J. Gabel
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