

**STATE OF WASHINGTON  
KING COUNTY SUPERIOR COURT**

JASON CAYTON, and individual,  
  
Plaintiff,  
  
vs.  
  
STATE OF WASHINGTON,  
  
Defendant.

NO. 21-2-07805-9  
  
OFFER OF JUDGMENT

TO: Jason Caton, Plaintiff; and Jack Sheridan, Plaintiff's Attorney  
AND TO: CLERK OF THE COURT

In accordance with CR 68, and pursuant to RCW 4.92, *et seq.*, defendant, State of Washington, Washington State Patrol, by and through its counsel of record, makes the following Offer of Judgment.

**OFFER OF JUDGMENT**

1. State of Washington, Washington State Patrol makes this Offer of Judgment more than 10 days before trial of this action. If Plaintiff does not accept this Offer of Judgment within 10 days after service of this Offer of Judgment, this Offer of Judgment shall be deemed withdrawn. Evidence of this Offer of Judgment shall not be admissible except in a proceeding to determine attorney fees and costs.

2. State of Washington, Washington State Patrol, offers to allow Plaintiff to enter Judgment against it in full satisfaction of all claims in this action in the total amount of \$714,000.00,

1 inclusive of all attorney's fees and costs incurred to date, that may be recoverable under statute,  
2 contract or recognized grounds in equity, and inclusive of all costs incurred as of the date of this  
3 Offer of Judgment. State of Washington, Washington State Patrol does not waive Notice of  
4 Presentation of the Judgment in accordance with CR 54. It is the express intent of this Offer of  
5 Judgment to attempt to avoid Plaintiff incurring additional fees and costs in prosecuting this action.

6 3. In the event Plaintiff accepts this Offer of Judgment, this Offer of Judgment is  
7 further conditioned on Plaintiff's agreement to take judgment against State of Washington,  
8 Washington State Patrol pursuant to RCW 4.92.040 and in accord with RCW 4.92.075.

9 4. This Offer of Judgment is made as an attempt to compromise the parties' respective  
10 litigation positions and eliminate the added costs and expenses associated with this action. This  
11 Offer of Judgment is not an admission that State of Washington, Washington State Patrol or any  
12 of its employees is liable to the Plaintiff or caused any injury or damages to the Plaintiff through  
13 any action or inaction.

14 DATED this 19<sup>th</sup> day of August, 2022.

15 ROBERT W. FERGUSON  
16 Attorney General

17 *s/ Andrew Biggs*  
18 Andrew T. Biggs, WSBA 11746  
19 Scott A. Marlow, WSBA 25987  
20 Attorneys for Defendant  
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1 **CERTIFICATE OF SERVICE**

2 I certify that I caused a copy of the foregoing to be served on the following parties or  
3 their counsel of record on the date below as follows:

4  Email per 9/3/21 E-Service agreement

5 John P. Sheridan, WSBA No. 21473  
6 705 Second Avenue, Suite 1200  
7 Seattle, WA 98104  
8 [Jack@sheridanlawfirm.com](mailto:Jack@sheridanlawfirm.com)  
[cameron@sheridanlawfirm.com](mailto:cameron@sheridanlawfirm.com)

9 I certify under penalty of perjury under the laws of the state of Washington that the  
10 foregoing is true and correct.

11 DATED this 19th day of August, 2022, at Seattle, Washington.

12  
13 *s/ Andrew Biggs*  
14 ANDREW BIGGS, WSBA No. 11746  
15 Attorney for Defendants  
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