

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

JAYSON CATON,

Plaintiff,

vs.

STATE OF WASHINGTON,

Defendant.

No. 21-2-07805-9 SEA

**PLAINTIFF'S CR 68 NOTICE OF  
ACCEPTANCE**

*Clerk's Action Required*

On August 19, 2022, the defendant served on plaintiff a CR 68 offer of judgment in the amount of \$714,000. Appendix 1. CR 68 provides, "[i]f within 10 days after the service of the offer the adverse party serves written notice that the offer is accepted, either party may then file the offer and notice of acceptance together with proof of service thereof and thereupon the court shall enter judgment." A copy of the proposed judgment is attached as Appendix 2.

Plaintiff Jayson Caton hereby accepts the defendant's offer of judgment in the amount of \$714,000, and asks that the Court award to Mr. Caton judgment against the State of Washington in that amount.

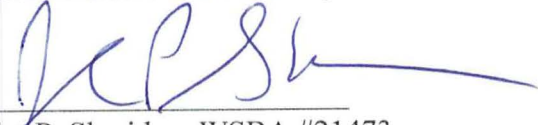
**PLAINTIFF'S CR 68 NOTICE OF  
ACCEPTANCE - 1**

SHERIDAN LAW FIRM, P.S.  
Hoge Building, Suite 1200  
705 Second Avenue  
Seattle, WA 98104  
Tel: 206-381-5949 Fax: 206-447-9206

Dated this 24<sup>th</sup> day of August, 2020.

THE SHERIDAN LAW FIRM, P.S.

By:



John P. Sheridan, WSBA #21473  
*Attorneys for Plaintiff Jayson Caton*

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**CERTIFICATE OF SERVICE**

I, John Sheridan, certify that, on August 24, 2022, the foregoing document was served via email in accordance with the Electronic Service Agreement as follows:

ROBERT W. FERGUSON  
Attorney General

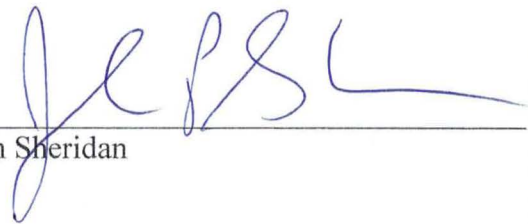
ANDREW BIGGS  
Assistant Attorney General  
Office of the Attorney General – Torts Division  
800 5<sup>th</sup> Avenue, Suite 2000  
Seattle, WA 98104  
[Andrew.biggs@atg.wa.gov](mailto:Andrew.biggs@atg.wa.gov)  
[TORSeaEF@atg.wa.gov](mailto:TORSeaEF@atg.wa.gov)  
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[Danielle.Garrett@atg.wa.gov](mailto:Danielle.Garrett@atg.wa.gov)  
[Judy.Tucker@atg.wa.gov](mailto:Judy.Tucker@atg.wa.gov)

*Attorney for Defendants*

Dated this 24<sup>th</sup> day of August, 2022.

By:

John Sheridan



# APPENDIX 1

**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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## APPENDIX 2



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

JAYSON CATON,

Plaintiff,

vs.

STATE OF WASHINGTON,

Defendant.

No. 21-2-07805-9 SEA

**JUDGMENT AGAINST THE  
STATE OF WASHINGTON**

*Clerk's Action Required*

**JUDGMENT SUMMARY**

Judgment Creditor:	Jayson Caton
Judgment Creditor's Attorney:	The Sheridan Law Firm, P.S.
Judgment Debtor:	The State of Washington
Judgment Amount:	\$714,000.00
Prejudgment Interest:	N/A
Attorney Fees and Costs:	N/A

THIS MATTER came on regularly before this Court on Defendant's August 19, 2022, CR 68 offer of judgment in the amount of \$714,000, and Plaintiff Jayson Caton's acceptance of the CR 68 offer of judgment on August 24, 2022. Mr. Caton is represented by John P. Sheridan of the Sheridan Law Firm, P.S., and the State of Washington is represented by Assistant Attorneys General Andrew Biggs and Scott Marlow.

1 In accordance with CR 68, “[i]f within 10 days after the service of the offer the  
2 adverse party serves written notice that the offer is accepted, either party may then file the  
3 offer and notice of acceptance together with proof of service thereof and thereupon the court  
4 shall enter judgment.”

5 Accordingly, judgment in the amount of \$714,000 is hereby awarded to Mr. Caton  
6 and against the State of Washington.

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9 DONE this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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11 \_\_\_\_\_  
12 Ken Schubert  
13 Judge  
14 King County Superior Court

15 Presented By:

16 THE SHERIDAN LAW FIRM, P.S.

17 By: /s/ John P. Sheridan  
18 John P. Sheridan, WSBA #21473  
19 Attorneys for Plaintiff Jason Caton

20 Approved as to Form:

21 ROBERT W. FERGUSON  
22 Attorney General

23 By: \_\_\_\_\_  
24 Andrew Biggs, WSBA # 11746  
25 Attorneys for the State of Washington