

## APPENDIX

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# NOTICE OF CHANGE OF ADDRESS

APPEALS COURT CASE NO. 80026-4-1  
SUPREME COURT CASE NO. 99096-4

SUPREME COURT OF WASHINGTON D.C.

THE CLERK

SUPREME COURT OF THE UNITED STATES  
1 FIRST STREET N.E.  
WASHINGTON, D.C. 20543

JOSEPH ESSILFIE PRO SE V. JORDAN KEATING ET AL  
PLAINTIFF DEFENDANTS

THE UNDERSIGNED PLAINTIFF HEREBY GIVES  
NOTICE TO THE CLERK OF THIS COURT OF THE  
FOLLOWING CHANGE OF MY RESIDENTIAL ADDRESS

PREVIOUS RESIDENTIAL ADDRESS AS FOLLOWS

JOSEPH ESSILFIE  
19707 INTERNATIONAL BLVD.  
APT. 466  
SEATTLE, WA 98188 (PHONE 347-373-1455

NEW RESIDENTIAL ADDRESS IS AS FOLLOWS

JOSEPH ESSILFIE  
551 ELLIOT AVE. W.  
SEATTLE, WA 98119  
PHONE 347-373-1455

I ALSO SENT NOTICE BY MAIL TO THE ADVERSE  
PARTY AT

S. KAREN BAMBERGER  
BETIS PETERSON & MINES  
ONE CONVENTION PLACE  
SUITE 1400  
701 PIKE STREET  
SEATTLE, WA 98101

MAY 5, 2021

*the Essley*  
JOSEPH ESSILFIE

T

APPENDIX A

Client: Carlson Company LLC  
Addr: 10343 Federal Blvd Ste J-401  
Westminster, CO 80260  
Phone: (719) 531-6666  
Contact: Kelly Bissani

First Name: Joseph  
Last Name: Basile  
ID: N/A

Test Name: Complete Heavy Metals Test  
Profile: HCC2047  
Media: Hair  
Reason: Other

Specid: Basile-2  
Acc #: 172980133  
Collected: 10/17/2017  
Received: 10/25/2017 5:13 PM  
Released: 10/28/2017 1:50 PM  
Status: Complete

Substance	Lab Result	Test Value	High Value	Test Method
LITHIUM	Detected	217 ug/kg H	42 ug/kg	ICPMS
BERYLLIUM	< 0.01 ug/kg	< 0.01 ug/kg	12 ug/kg	ICPMS
ALUMINUM	Detected	5884 ug/kg	8000 ug/kg	ICPMS
CHROMIUM	Detected	454 ug/kg	520 ug/kg	ICPMS
MANGANESE	Detected	228 ug/kg	570 ug/kg	ICPMS
COBALT	Detected	6.5 ug/kg	140 ug/kg	ICPMS
NICKEL	Detected	160 ug/kg	900 ug/kg	ICPMS
COPPER	Detected	4458 ug/kg	61300 ug/kg	ICPMS
ZINC	Detected	97850 ug/kg	209000 ug/kg	ICPMS
ARSENIC	Detected	117 ug/kg H	80 ug/kg	ICPMS
SELENIUM	Detected	283 ug/kg	1370 ug/kg	ICPMS
SILVER	Detected	91 ug/kg	1310 ug/kg	ICPMS
CADMIUM	Detected	8.1 ug/kg	170 ug/kg	ICPMS
TIN	Detected	473 ug/kg H	340 ug/kg	ICPMS
ANTIMONY	Detected	157 ug/kg H	130 ug/kg	ICPMS
BARIUM	Detected	551 ug/kg	1580 ug/kg	ICPMS
PLATINUM	< 0.01 ug/kg	< 0.01 ug/kg	0.8 ug/kg	ICPMS
MERCURY	Detected	575 ug/kg	1660 ug/kg	ICPMS
LEAD	Detected	136 ug/kg	4570 ug/kg	ICPMS
THORIUM	Detected	2.7 ug/kg	5 ug/kg	ICPMS
URANIUM	Detected	0.71 ug/kg	30 ug/kg	ICPMS

Test Comment:

2" of head hair tested (Approximately 4 months timeframe)

THESE ARE IN MY BODY.

The preceding result has been reviewed and is certified to be as reported. S. Holleman (Certifying Scientist)

**THE CARLSON COMPANY INC**  
Call: 1-866-889-3410 or email: carisonco@comcast.net

Client: Carlson Company I.L.C  
Addr: 10343 Federal Blvd Ste J-401  
Westminster, CO 80260  
Phone: (719) 531-6666  
Contact: Kaily Bissani

First Name: Joseph  
Last Name: Essifie  
ID: N/A

Test Name: Complete Heavy Metals Test  
Profile: HCC2047  
Media: Hair  
Reason: Other

SpecId: Joseph-1  
Acc #: 182420084  
Collected: 8/23/2018  
Received: 8/30/2018 2:37 PM  
Released: 9/7/2018 8:31 PM  
Status: Complete

Substance	Lab Result	Test Value	High Value	Test Method
LITHIUM	< 0.01 ug/kg	< 0.01 ug/kg	42 ug/kg	ICPMS
BERYLLIUM	Detected	166 ug/kg H	12 ug/kg	ICPMS
ALUMINUM	Detected	12022 ug/kg H	8000 ug/kg	ICPMS
CHROMIUM	Detected	797 ug/kg H	520 ug/kg	ICPMS
MANGANESE	Detected	303 ug/kg	570 ug/kg	ICPMS
COBALT	Detected	497 ug/kg H	140 ug/kg	ICPMS
NICKEL	< 0.01 ug/kg	< 0.01 ug/kg	900 ug/kg	ICPMS
COPPER	Detected	755 ug/kg	61300 ug/kg	ICPMS
ZINC	Detected	162429 ug/kg	209000 ug/kg	ICPMS
ARSENIC	< 0.01 ug/kg	< 0.01 ug/kg	80 ug/kg	ICPMS
SELENIUM	Detected	1219 ug/kg	1370 ug/kg	ICPMS
SILVER	Detected	403 ug/kg	1310 ug/kg	ICPMS
CADMIUM	Detected	211 ug/kg H	170 ug/kg	ICPMS
TIN	Detected	383 ug/kg H	340 ug/kg	ICPMS
ANTIMONY	Detected	84 ug/kg	130 ug/kg	ICPMS
BARIUM	Detected	656 ug/kg	1580 ug/kg	ICPMS
PLATINUM	Detected	10 ug/kg H	0.8 ug/kg	ICPMS
MERCURY	Detected	144 ug/kg	1660 ug/kg	ICPMS
LEAD	Detected	54 ug/kg	4570 ug/kg	ICPMS
THORIUM	< 0.01 ug/kg	< 0.01 ug/kg	5 ug/kg	ICPMS
URANIUM	Detected	7.0 ug/kg	30 ug/kg	ICPMS

Test Comment:

2" of curly head hair tested (Approximately 4 months timeframe)

THESE ARE IN MY BODY

The preceding result has been reviewed and is certified to be as reported. Thomas Quill (Certifying Scientist)

Client: Carlson Company LLC  
 Addr: 10343 Federal Blvd Ste J-401  
 Westminster, CO 80260  
 Phone: (719) 531-6666  
 Contact: Kaily Bissani

First Name: Joseph  
 Last Name: Essiebie  
 ID: N/A

Test Name: Comprehensive Metal Test  
 Profile: HCC2049  
 Media: Hair  
 Reason: Other

Specid: Joseph  
 Acc #: 201820006  
 Collected: 6/25/2020  
 Received: 6/30/2020 10:42 AM  
 Released: 7/2/2020 10:01 PM  
 Status: Complete

Substance	Lab Result	Test Value	High Value	Test Method
LITHIUM	Detected	66 ug/kg	H 42 ug/kg	ICPMS
BERYLLIUM	Detected	2.2 ug/kg	12 ug/kg	ICPMS
ALUMINUM	Detected	7566 ug/kg	8000 ug/kg	ICPMS
CHROMIUM	Detected	152 ug/kg	520 ug/kg	ICPMS
MANGANESE	Detected	140 ug/kg	570 ug/kg	ICPMS
COBALT	Detected	5.2 ug/kg	140 ug/kg	ICPMS
NICKEL	Detected	11 ug/kg	900 ug/kg	ICPMS
COPPER	Detected	4394 ug/kg	61300 ug/kg	ICPMS
ZINC	Detected	116770 ug/kg	209000 ug/kg	ICPMS
ARSENIC	Detected	175 ug/kg	H 80 ug/kg	ICPMS
SELENIUM	Detected	588 ug/kg	1370 ug/kg	ICPMS
SILVER	Detected	124 ug/kg	1310 ug/kg	ICPMS
CADMIUM	Detected	7.8 ug/kg	170 ug/kg	ICPMS
TIN	Detected	191 ug/kg	340 ug/kg	ICPMS
ANTIMONY	Detected	25 ug/kg	130 ug/kg	ICPMS
BARIUM	Detected	188 ug/kg	1580 ug/kg	ICPMS
PLATINUM	Detected	0.55 ug/kg	0.8 ug/kg	ICPMS
MERCURY	Detected	835 ug/kg	1660 ug/kg	ICPMS
LEAD	Detected	97 ug/kg	4570 ug/kg	ICPMS
THORIUM	Detected	0.18 ug/kg	5 ug/kg	ICPMS
URANIUM	Detected	0.87 ug/kg	30 ug/kg	ICPMS
TITANIUM	Detected	69 µg/kg	700 µg/kg	ICPMS
VANADIUM	Detected	13 µg/kg	100 µg/kg	ICPMS
RUBIDIUM	Detected	1102 µg/kg	H 80 µg/kg	ICPMS
MOLYBDENUM	Detected	141 µg/kg	H 90 µg/kg	ICPMS
STRONTIUM	Detected	752 µg/kg	2100 µg/kg	ICPMS
GADOLINIUM	Detected	3.2 µg/kg	10 µg/kg	ICPMS
THALLIUM	Detected	191 µg/kg	H 2 µg/kg	ICPMS
BISMUTH	Detected	1.9 µg/kg	2000 µg/kg	ICPMS
TUNGSTEN	Detected	7.2 µg/kg	10 µg/kg	ICPMS

**Test Comment:**

2" of curly head hair tested (Approximately 4 months timeframe)

This test is developed and validated by Expertox Laboratory. This is not a FDA approved test.

*THESE ARE IN MY BODY*

The preceding result has been reviewed and is certified to be as reported. Brandon Cox (Certifying Scientist)

**THE CARLSON COMPANY INC.**  
Call: 1-866-889-3410 or email: carlsonco@comcast.net

Client: Carlson Company LLC  
Addr: 10343 Federal Blvd Ste J-401  
Westminster, CO 80260  
Phone: (719) 531-6666  
Contact: Kately Bissani

First Name: Joseph  
Last Name: Basile  
ID: N/A

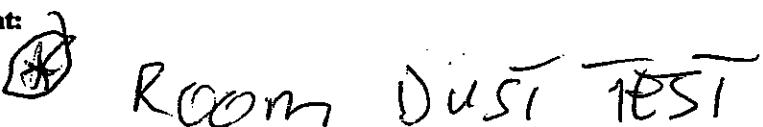
Test Name: Complete Heavy Metals Test  
Profile: OCC2047  
Media: Other  
Reason: Other

Specid: Joseph  
Acc #: 182960028  
Collected:  
Received: 10/23/2018 11:47 AM  
Released: 10/26/2018 7:49 PM  
Status: Complete

Substance	Lab Result	Test Value	High Value	Test Method
LITHIUM	Detected	3436 ug/kg	H 0.001 ug/kg	ICPMS
BERYLLIUM	Detected	3.8 ug/kg	H 0.001 ug/kg	ICPMS
ALUMINUM	Detected	272943 ug/kg	H 0.001 ug/kg	ICPMS
CHROMIUM	Detected	2275 ug/kg	H 0.001 ug/kg	ICPMS
MANGANESE	Detected	25992 ug/kg	H 0.001 ug/kg	ICPMS
COBALT	Detected	351 ug/kg	H 0.001 ug/kg	ICPMS
NICKEL	Detected	2760 ug/kg	H 0.001 ug/kg	ICPMS
COPPER	Detected	29975 ug/kg	H 0.001 ug/kg	ICPMS
ZINC	Detected	63559 ug/kg	H 0.001 ug/kg	ICPMS
ARSENIC	Detected	460 ug/kg	H 0.001 ug/kg	ICPMS
SELENIUM	Detected	170 ug/kg	H 0.001 ug/kg	ICPMS
SILVER	Detected	1038 ug/kg	H 0.00001 ug/kg	ICPMS
CADMIUM	Detected	63 ug/kg	H 0.001 ug/kg	ICPMS
TIN	Detected	1498 ug/kg	H 0.001 ug/kg	ICPMS
ANTIMONY	Detected	2546 ug/kg	H 0.001 ug/kg	ICPMS
BARIUM	Detected	15819 ug/kg	H 0.001 ug/kg	ICPMS
PLATINUM	Detected	1.1 ug/kg	H 0.001 ug/kg	ICPMS
MERCURY	< 0.01 ug/kg	< 0.01 ug/kg	0.001 ug/kg	ICPMS
LEAD	Detected	1692 ug/kg	H 0.001 ug/kg	ICPMS
THORIUM	< 0.01 ug/kg	< 0.01 ug/kg	0.001 ug/kg	ICPMS
URANIUM	Detected	9.4 ug/kg	H 0.001 ug/kg	ICPMS

Test Comment:

Napkin tested

 Room Dust Test

# APPENDIX



A

Client: Carlson Company LLC  
 Addr: 10343 Federal Blvd Ste J-401  
 Westminster, CO 80260  
 Phone: (719) 531-6666  
 Contact: Kaily Bissani

First Name: Joseph  
 Last Name: Essilfie  
 ID: N/A  
 Test Name: Comprehensive Metal Test  
 Profile: HCC2049  
 Media: Hair  
 Reason: Confirmation

Specid: Essilfie  
 Acc #: 210670091  
 Collected: 3/1/2021  
 Received: 3/8/2021 12:06 PM  
 Released: 3/18/2021 8:07 PM  
 Status: Complete

Substance	Lab Result	Test Value	High Value	Test Method
LITHIUM	Detected	49 ug/kg H	42 ug/kg	ICPMS
BERYLLIUM	Detected	0.53 ug/kg	12 ug/kg	ICPMS
ALUMINUM	Detected	20312 ug/kg H	8000 ug/kg	ICPMS
CHROMIUM	Detected	72 ug/kg	520 ug/kg	ICPMS
MANGANESE	Detected	154 ug/kg	570 ug/kg	ICPMS
COBALT	Detected	7.1 ug/kg	140 ug/kg	ICPMS
NICKEL	Detected	261 ug/kg	900 ug/kg	ICPMS
COPPER	Detected	30847 ug/kg	61300 ug/kg	ICPMS
ZINC	Detected	183925 ug/kg	209000 ug/kg	ICPMS
ARSENIC	Detected	80 ug/kg	80 ug/kg	ICPMS
SELENIUM	Detected	772 ug/kg	1370 ug/kg	ICPMS
SILVER	Detected	38 ug/kg	1310 ug/kg	ICPMS
CADMIUM	Detected	22 ug/kg	170 ug/kg	ICPMS
TIN	Detected	106 ug/kg	340 ug/kg	ICPMS
ANTIMONY	Detected	65 ug/kg	130 ug/kg	ICPMS
BARIUM	Detected	158 ug/kg	1580 ug/kg	ICPMS
PLATINUM	Detected	0.24 ug/kg	0.8 ug/kg	ICPMS
MERCURY	Detected	582 ug/kg	1660 ug/kg	ICPMS
LEAD	Detected	67 ug/kg	4570 ug/kg	ICPMS
THORIUM	Detected	1.3 ug/kg	5 ug/kg	ICPMS
URANIUM	Detected	0.63 ug/kg	30 ug/kg	ICPMS
TITANIUM	Detected	121 µg/kg	700 µg/kg	ICPMS
VANADIUM	Detected	19 µg/kg	100 µg/kg	ICPMS
RUBIDIUM	Detected	497 µg/kg H	80 µg/kg	ICPMS
MOLYBDENUM	Detected	175 µg/kg H	90 µg/kg	ICPMS
STRONTIUM	Detected	1085 µg/kg	2100 µg/kg	ICPMS
GADOLINIUM	Detected	0.32 µg/kg	10 µg/kg	ICPMS
THALLIUM	Detected	22 µg/kg H	2 µg/kg	ICPMS
BISMUTH	Detected	5.9 µg/kg	2000 µg/kg	ICPMS
TUNGSTEN	Detected	13 µg/kg H	10 µg/kg	ICPMS

**Test Comment:**

2" of head hair tested (Approximately 4 months timeframe)

This test is developed and validated by Expertox Laboratory. This is not a FDA approved test.

The preceding result has been reviewed and is certified to be as reported. Brandon Cox (Certifying Scientist)

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# APPENDIX

B

**IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON**

JOSEPH ESSILFIE,

Appellant,

v.

JORDAN KEATING; LEAH COLLEY;  
JOSH DOE, another male worker;  
RESERVE AT SEATAC PARTNERS,  
LLP; INDIGO REAL ESTATE  
SERVICE, INC., a Washington  
corporation,

Respondents,

PLYMOUTH HOUSING GROUP,

Defendant.

No. 80026-4-I

DIVISION ONE

UNPUBLISHED OPINION

APPELWICK, J. — Essilfie appeals the trial court's orders granting summary judgment dismissal and denying reconsideration of his negligence claim. He alleged below that the respondents, including the owner and manager of the apartment building where he resides, had been pumping toxic fumes into his apartment. He further alleged that these fumes caused him various health problems. On appeal, he argues that there are genuine issues of material fact regarding his negligence claim that preclude summary judgment. We affirm.

## FACTS

In November 2018, Joseph Essilfie filed a lawsuit against several defendants, alleging that they pumped toxic fumes into his apartment.<sup>1</sup> He alleged that the toxic fumes exposed him to heavy metals, causing him various health problems. The defendants included Reserve at SeaTac Partners LLP, the owner of the apartment building where he resides, Indigo Real Estate Service Inc., the company that manages the building, and Leah Colley and Jordan Keating, two Reserve at SeaTac employees.<sup>2</sup> Essilfie sought to recover \$200 million in damages.

In his complaint, Essilfie stated that he had gathered additional evidence in support of his negligence claim.<sup>3</sup> This statement appears to refer to a heavy metals test he had conducted by The Carlson Company Inc. in August 2018. The test results purport to show the presence of numerous heavy metals in a sample of Essilfie's hair. The results also indicate that "[n]o chemicals or toxins [were]

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<sup>1</sup> In February 2018, Essilfie filed a lawsuit against the "Landlord of Reserve at Seatac" making similar allegations. The trial court dismissed that action without prejudice in September 2018.

<sup>2</sup> Essilfie also filed the lawsuit against Plymouth Housing Group and a defendant he identified as "Josh/One Other Male Worker." Plymouth Housing Group's relation to this case is unclear from the record. "Josh/One Other Male Worker" appears to refer to another Reserve at Seatac employee.

<sup>3</sup> Essilfie did not explicitly refer to negligence in his complaint. But, he referred to the defendants' alleged negligence in a responsive pleading below and in his opening brief on appeal. Thus, we construe his claim for damages based on illnesses he allegedly contracted from the defendants pumping toxic fumes into his apartment as a negligence claim.

detected." Further, Essilfie provided test results purporting to show the presence of heavy metals in a sample of dust. He claimed in a pleading that the dust sample came from a room in his apartment.

In January 2019, Reserve at Seatac, Indigo Real Estate, Colley, Keating, and "Josh/One Other Male Worker" filed a motion for summary judgment against Essilfie.<sup>4</sup> They argued that Essilfie lacked sufficient evidence to establish three of the four elements of negligence: breach of duty, proximate cause, and damages.

First, the respondents contended that Essilfie lacked proof that the respondents had ever pumped fumes into his apartment. They provided declarations from Colley and Keating, both of whom stated that they had never caused toxic fumes to be pumped into Essilfie's apartment, and that there is no ductwork in the building that would make that possible. Second, they argued that Essilfie's speculation that the alleged fumes caused him physical harm was inadmissible under ER 702. Last, they asserted that the test results from Carlson were inadmissible under ER 702 and Frye v. United States, 293 F. 1013 (D.C. Cir. 1923). They relied on a declaration from Dr. Scott Phillips, a physician specializing in internal medicine and medical toxicology. Phillips opined that the laboratory tests were not evidence of toxicity or harm. He explained that metal poisoning is

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<sup>4</sup> For clarity, we refer to Reserve at Seatac, Indigo Real Estate, Colley, Keating, and "Josh/One Other Male Worker" collectively as "the respondents" throughout the remainder of the opinion. Plymouth Housing Group did not join in the motion.

diagnosed clinically in conjunction with blood or urine tests, neither of which was done in this case.

Essilfie opposed the respondents' motion. He argued that the laboratory tests from Carlson supported his claim. Further, he provided a medical record from his November 2018 medical examination. The medical record does not address whether he suffers from metal poisoning. Essilfie also provided copies of letters he wrote to Plymouth Housing Group, Colley, and Reserve at Seatac. The letters detail his concerns regarding the alleged toxic fumes in his apartment. His letters to Colley specifically ask her to stop pumping fumes into his apartment, and to assist him in getting others to stop pumping fumes.

The trial court granted the respondents' motion and dismissed Essilfie's negligence claim against them with prejudice. At the hearing on the motion, the court explained to Essilfie that even if the laboratory tests were true,

[they] don't link the defendants with those lab results. And taking all of the evidence in the light most favorable to you, which I'm required to do at this position, I don't find that the defendants in this case actually are creating fumes and then secondly that they're actually causing negative effects in your body. So I have to dismiss the case for the defendants that have filed this action.

Essilfie then filed a motion for reconsideration. He again argued that toxic fumes in his apartment were causing him health problems. He also attached new medical records to the motion. In the new records, Dr. Hildegard Stanger, an industrial toxicologist and doctor of integrative medicine, analyzed Essilfie's test

results from Carlson and his current symptomatology. Staninger opined that Essilfie's symptoms "and the metal parameters found to be extremely high in value correlate to systemic target organ toxicity." Essilfie then filed another pleading to supplement his motion for reconsideration. He provided even more medical records as an attachment to that pleading. The trial court denied Essilfie's motion.

Essilfie appeals.<sup>5</sup>

#### DISCUSSION

Essilfie makes two arguments. First, he argues that the trial court erred in granting the respondents' motion for summary judgment and dismissing his negligence claim against them with prejudice. Second, he argues that the trial court erred in denying his motion for reconsideration. He specifically asserts that genuine issues of material fact regarding his negligence claim preclude summary judgment.<sup>6</sup>

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<sup>5</sup> The respondents argue that we should not consider Essilfie's appeal because his negligence claim has not been dismissed as to Plymouth Housing Group. Under RAP 2.2(d), we will hear an appeal on less than all claims only if the trial court expressly enters findings illustrating that there is no just reason for delay, or in the exercise of our discretion under RAP 2.3. The trial court did not enter such findings in its order granting summary judgment, and Essilfie did not move for discretionary review. However, in January 2020, the trial court granted Plymouth Housing Group's motion to dismiss Essilfie's claim against it with prejudice. Thus, we decline to dismiss Essilfie's appeal on the basis that his claim against Plymouth Housing Group is still pending.

<sup>6</sup> As an initial matter, the respondents argue that we lack a sufficient basis to consider these arguments because Essilfie did not comply with RAP 9.1 and 9.2(b) by not providing "enough of a record to review the purported issues on appeal." An appellant bears the burden of perfecting the record on appeal so that "the reviewing court has before it all the evidence relevant to deciding the issues

We review summary judgment orders de novo, considering the evidence and all reasonable inferences from the evidence in the light most favorable to the nonmoving party. Keck v. Collins, 184 Wn.2d 358, 370, 357 P.3d 1080 (2015). Summary judgment is appropriate only when no genuine issue exists as to any material fact and the moving party is entitled to judgment as a matter of law. Id. If a plaintiff “fails to make a showing sufficient to establish the existence of an element essential to that party’s case, and on which that party will bear the burden of proof at trial,” summary judgment is proper. Young v. Key Pharms., Inc., 112 Wn.2d 216, 225, 770 P.2d 182 (1989) (quoting Celotex Corp. v. Catrett, 477 U.S. 317, 322, 106 S. Ct. 2548, 91 L. Ed. 2d 265 (1986)), overruled on other grounds by 130 Wn.2d 160, 922 P.3d 69 (1996).

To prevail on a negligence claim, a plaintiff must prove (1) the existence of a duty owed to the plaintiff, (2) a breach of that duty, (3) a resulting injury, and (4) the breach as the proximate cause of the injury. N.L. v. Bethel Sch. Dist., 186 Wn.2d 422, 429, 378 P.3d 162 (2016). The parties dispute whether Essilfie can establish breach of a duty, proximate cause, or a resulting injury.

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before it.” Rhinevault v. Rhinevault, 91 Wn. App. 688, 692, 959 P.2d 687 (1998). We may decline to reach the merits of an issue if this burden is not met. Id. Essilfie did not meet his burden by providing us with only his response to the respondents’ motion for summary judgment and his motion for reconsideration. However, the respondents supplemented the record by providing us with the other pleadings necessary to resolve Essilfie’s arguments. “Washington law shows a strong preference for deciding cases on the merits.” Luckett v. Boeing, 98 Wn. App. 307, 313, 989. P.2d 1114 (1999). We therefore reach the merits of Essilfie’s appeal.

I. Summary Judgment Dismissal

Essilfie contends that the trial court overlooked the seriousness of the diseases caused by heavy metals in dismissing his negligence claim on summary judgment. He cites the various health problems he suffers from, as well as the laboratory tests he had done showing the presence of heavy metals. The respondents counter that Essilfie's laboratory tests do not constitute qualified expert testimony.

Even if we were to assume the accuracy of the laboratory tests, Essilfie has not provided any evidence connecting the respondents to his exposure to heavy metals. The respondents provided declarations below from both Colley and Keating. In their declarations, Colley and Keating stated that they had never caused toxic fumes to be pumped into Essilfie's apartment, and that there is no ductwork in the building that would make that possible. Essilfie did not provide any evidence to contradict those statements. Thus, there is no genuine dispute of material fact regarding the breach of duty and causation elements of his negligence claim. Essilfie does not make a showing sufficient to establish the existence of either element.

The trial court did not err in dismissing Essilfie's negligence claim against the respondents on summary judgment.

II. Denial of Reconsideration

Essilfie argues next that the trial court erred in denying his motion for reconsideration. He states that the court's decision was wrong "for the very fact I have stated." We construe this statement as repeating his earlier argument that the court overlooked the seriousness of the diseases caused by heavy metals.

We review an order denying a motion for reconsideration for an abuse of discretion. See Rivers v. Wash. State Conf. of Mason Contractors, 145 Wn.2d 674, 684-85, 41 P.3d 1175 (2002). On reconsideration, Essilfie provided additional medical records, including a letter from an industrial toxicologist analyzing his test results from Carlson and his current symptomatology. Staninger, the industrial toxicologist, opined that Essilfie's symptoms "and the metal parameters found to be extremely high in value correlate to systemic target organ toxicity."

Again, even if we were to assume the accuracy of Staninger's letter, Essilfie has not provided any evidence connecting the respondents to the above described organ toxicity. Specifically, he did not provide any evidence to contradict Colley's and Keating's statements that they had never caused toxic fumes to be pumped into his apartment, and that there is no ductwork in the building that would make that possible. Accordingly, Essilfie's motion for reconsideration did not change his failure to make a showing sufficient to establish the existence of the breach of duty and causation elements of negligence.

The trial court did not abuse its discretion in denying Essilfie's motion for reconsideration.<sup>7</sup>

We affirm.

Lippelwick, J.

WE CONCUR:

Leach, J. Dwyer, J.

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<sup>7</sup> Essilfie also argues for the first time on appeal that his right to equal protection while living in his apartment has been violated. He does not explain how the respondents have violated this right, or how this violation relates to his negligence claim. To raise this claim for the first time on appeal, Essilfie must show manifest error affecting a constitutional right. RAP 2.5(a)(3). He fails to do so here. He also did not support his argument with any citation to legal authority or reference to the record, as required under RAP 10.3(a)(6). We hold pro se litigants to the same standard as attorneys. Kelsey v. Kelsey, 179 Wn. App. 360, 368, 317 P.3d 1096 (2014). As a result, we decline to reach Essilfie's equal protection argument.

RESPONSE  
APPENDIX

C

THE COURT OF APPEALS  
OF THE  
STATE OF WASHINGTON  
SEATTLE

DATE: 2/7/2020

BARRY GENE ZIKER  
JOYCE ZIKER PARKINSON PLLC  
1601 5TH AVE. STE 2040  
SEATTLE, WA 98101

SYLVIA KAREN BAMBERGER  
BETTS PATTERSON & MINES PS  
701 PIKE STR. STE 1400  
SEATTLE WA 98101

JOSEPH ESSILFIE  
19707 INTERNATIONAL BLVE  
AP. 466  
SEATAC, WA 98188

MATTHEW J. STOCK  
JOYCE ZIKER PARKINSON PLLC  
1601 5TH AVE. STE 2040  
SEATTLE, WA 98101

GLEN JAY AMSTER  
KANTOR TAYLOR P.C.  
1200 5TH AVE STE. 1910  
SEATTLE, WA 98101

CASE # 80026-4-I  
JOSEPH ESSILFIE, APPELLANT VS. JORDAN KEATING ET AL  
KING COUNTY, CASE NO. 18-2-54619-2

COUNSEL'S

RESPONSE TO THE COPY OF THE OPINION FILED IN THE ABOVE-REFERENCED  
APPEAL WHICH STATED IN PART:  
"WE AFFIRM"

THIS IS MY MOTION FOR RECONSIDERATION

I'M ALSO FILING A REVIEW BY THE SUPREME OF WASHINGTON D.C.  
FOR THE VERY FACT THAT I DO NOT THINK I'M NOT BEING GIVEN A FAIR  
REVIEW OF THIS CASE IN SEATTLE, WASHINGTON AND MY EVEN TAKE MY  
CASE TO THE CONGRESS IN WASHINGTON D.C.

APPENDIX "E"

①

THE COURT OF APPEALS OF THE STATE OF WASHINGTON

JOSEPH ESSILFIE

APPELLANT

JORDAN KEATING, LEAH COLLEY  
JOSH DOE, ANOTHER MALE WORKER,  
RESERVE AT SEATTLE PARTNERS,  
LLP, INDIGO REAL ESTATE SERVICE, INC  
A WASHINGTON CORPORATION

RESPONDANTS

PLYMOUTH HOUSING GROUP

DEFENDANT.

NO 80026-4-1

DIVISION ONE

UNPUBLISHED OPINION

APPELLANT'S RESPONSE TO  
UNPUBLISHED OPINION AND  
MOTION FOR RECONSIDERATION OF  
APPEALS' COURT DECISION OF  
"WE AFFIRM"

APPELWICK, J. THE COURT'S ORDERS OF GRANTING SUMMARY  
JUDGMENT DISMISSAL AND DENYING RECONSIDERATION OF MY NEGLIGENCE  
INTENTIONALITY AND ALL THE OTHER FORMS I STATED WERE WRONG.

JOSEPH ESSILFIE IS NOT ONLY ALLEGING BUT HAS PROOFS  
ALSO TO ESTABLISH A FACT OF MY STATEMENTS

I DID NOT ONLY ALLEGED THAT THOSE FUMES CAUSED MY VARIO  
HEALTH PROBLEMS, I ALSO SUPPORTED THEM WITH MY MEDICAL  
RECORDS.

ON MY APPEAL I ALSO SUPPORT THE GENUINE ISSUES OF  
MATERIAL FACT NOT ONLY THE NEGLIGENCE BUT THE INTENTIONALITY  
AND ALL OTHER COMPONENTS OF MY CASE WITH EVIDENCES  
NAMELY LETTERS I WROTE TO THEM TO DO SOMETHING TO STOP  
THE FUMES OF WHICH THEY TURNED A DEAF EARS TO ALL MY  
PLEADINGS WITH LETTERS I WROTE TO ALL OF THEM ALL

MOST OF THE STATEMENTS LISTED IN THE FACTS PORTION OF THE APPEALS COURT ARE RIGHT, THE PORTIONS OF PARTS WHICH ARE NOT TRUE IS AS FOLLOWS;

THE DEFENDANTS SAID NEGLIGENCE, BREACH OF DUTY, PROXIMATE CAUSE AND DAMAGES LACKED SUFFICIENT EVIDENCE → NO BUT THEY HAVE SUFFICIENT EVIDENCE, THE DO.

LET ME NARRATE AGAIN THE STORY I WROTE FROM THE BEGINNING.

IN THE CLAIM FORMS I STATED ON DECEMBER FIRST 2016 WHEN I FIRST MOVED INTO RESERVE AT SEASAC, THE PERSON WHO SIGNED ME IN WAS JOSH AND I TOLD HIM WHAT WAS GOING ON WITH ME THAT I'M IN SEATTLE HERE BECAUSE THERE PEOPLE WHO ARE FOLLOW ME FROM NEW YORK WHO WANT TO KILL ME AND THOSE PEOPLE HAS FOLLOWED ME HEAR IN SEATTLE, THEY INSULTED ME THAT I'M A WHORE AND I RETURNED THIS INSULT TO THEIR MOTHERS AND GRANDMOTHERS AND THEY ACCUSED ME OF NOT RESPECTING THE H.I.V. DISEASE SO WHEN I CAME THERE I SHOWED JOSH MY H.I.V TEST RESULT OF WHICH HE MADE A COPY OF IT, LATER ON AS I FILED THIS CASE HE CAME TO MY APARTMENT WHILE I WAS OUT OF THE HOUSE AND STOLE MY COPY FROM APARTMENT AND NOT HIM ALONE THERE PEOPLE WHO COMES TO MY APARTMENT AND WHEN I'M OUT OF THE HOUSE STEALING MY COURT PAPER WORK INCLUDING A CARD THE POLICE GAVE ME WITH MY CASE NUMBER ON IT WHEN I REPORTED THIS CASE TO THEM.

AT ONE TIME THE POLICE CAME ABOUT THIS SAME CASE AND THE POLICE OF JOSH CALLED THE MENTAL CRISSES PEOPLE TO COME OF WHICH WE HELD A MEETING IN THE OFFICE WHEN THE MENTAL CRISSES PEOPLE LEFT THEY GAVE ME THEIR CARD IT WAS ALSO STOLEN. AT ONE TIME SOMEONE CAME TO INSPECT MY APARTMENT I TOLD HER OF IT, SHE ASKED ME HOW I KNOW THEY STOLE THEM, MY ANSWER TO HER WAS, THEY ARE THE ONLY PEOPLE WHO HAS KEY TO ALL THE APARTMENTS IN THE BUILDING AND ALSO ARE THE ONES I'M HAVING PROBLEMS WITH.

(3)

COMING BACK TO THE PEOPLE WHO ARE FOLLOWING ME AROUND FROM NEW YORK WANTING TO KILLING ME, THEY BRIBE PEOPLE TO HELP THEM SO THEY TOOK BRIBE FROM THESE PEOPLE TO DO IT, ITS SOMETHING LIKE MURDERER FOR HIRE, THE OFFICE IS STILL PUMPING FUMES AS I'M WRITING TODAY,

I HAVE HEARD JORDAN KEATING AND LEAH COLLEY'S VOICES IN A PARTMENT 566 WHERE I SAID THEY WERE PUMPING THE TOXIC FUMES FROM, CALLING ME THE SAME NAMES THOSE PEOPLE WHO FOLLOWED TO THIS CITY, TELLING ME TO MOVE SAYING "WHORE MOVE" REPEATING IT OVER AND OVER AGAIN. MANY TIMES I HEAR JORDAN KEATING'S VOICE IN THE NIGHT UPSTAIRS, THE SAME PLACE, AT ONE TIME WHEN HE BROUGHT A POWERFUL TOXIN AND HE SAID "YOU SHALL DIE" THAT NIGHT I FELL INTO THE DEEPEST I NEVER DID IN MY LIFE, I WOKE UP ALL OF A SUDDEN AND I WAS ASTONISHED HOW I MANAGE TO SURVIVE THE ORDEAL, SEVERAL TIMES I'VE PASS THROUGH IT

THOSE PEOPLE I'M TALKING ABOUT ARE AROUND THE BUILDING 24 HOURS, 7 DAYS A WEEK

THEY BRIBE EVERYBODY TO HELP THEM EVEN DOCTORS NOT TO HELP ME WHEN I'M SICK THEY FOLLOWS ME EVERYWHERE. THE BRIBE HOSPITAL SECURITY, NURSE TO GIVE THEM ACCESS IN THE HOSPITAL WARD'S ANY TIME I'M ADMITTED.

THE OFFICE WORKERS COME INTO MY APARTMENT ALL THE TIME. RECENTLY I WAS GOING THROUGH SOME GROCERY BAGS IN MY BED ROOM AND SOMEONE HAS SLIPPED A PACK OF CIGARETTE INTO IT, I DON'T SMOKE, MY MEDICAL RECORDS SHOWS BECAUSE IN MY MEDICAL RECORDS C.O.P.D. / EMPHYSEMA WAS LISTED IN IT THEY WERE TRYING TO MAKE IT SEEM I SMOKE.

RECENTLY THEY PUT A NOTE IN SOMEONE'S HANDWRITING IN MY APARTMENT WHEN I WAS OUT I CALL THE POLICE ABOUT IT, THIS IS THE OFFICER NAME AND CASE NUMBER K: RIP, NUMBER K 19030441.

(4)

I REPORT ALSO MANY CASES TO MY CASE WORKER THE PERSON WHO BROUGHT ME TO THE PLACE, THINGS THEY STOLE FROM APARTMENT EVEN PHONE

I LOVE TO LIVE IN NEW YORK BUT IT WAS THOSE PEOPLE WHO WANTS TO KILL ME HAS MADE ME COME HERE AND FOLLOWED ME. THE ONE WHO IS PAYING FOR EVERYTHING THE DO IS ONE DONNA SMITH WHO IS THE MANAGER OF MANY APARTMENTS INCLUDING ONE, 401, SENECA MANOR DRIVE WHERE I USE TO LIVE, SHE SAID I DON TOLD THIS STORY TO SO MANY PEOPLE SO I MADE IT DOING THIS TO ME. I DON T KNOW HOW MUCH MONEY THEY PAID PEOPLE THAT MADE THEM DO WHAT THEIR ARE DOING TO ME. I VE TOLD THIS TO F.B.I. C.I.A. THEY HAVEN T DONE ANYTHING ABOUT IT. CRIME STOPPERS DOESN T EVEN WANT TO LISTEN TO MY CASE. I VE WRITTEN LETTERS TO THEM ALL TO HELP ME BUT TO NO AVAIL.

SO I HAVE PROVEN NEGLIGENCE, BREACH OF DUTY APPROXIMATE CAUSE AND DAMAGES.

I DO NOT KNOW IF YOU READ EVERYTHING IN MY PAPERWORK FROM THE ONSET BEFORE YOU REACH THIS DECISION OF

"WE AFFIRM"

THIS IS CONTRARY TO EVERYTHING CONTAINED IN ALL MY PAPERWORK, BECAUSE I CAN SEE THAT YOU DIDN T

IF MY CASE WRONG THEM WHY DID THE TRIAL JUDGE CONGRATULATED ME FOR MY RESPONSES TO THE DEFENDANT'S ATTORNEY'S

MOTIONS AND LATER ON CHANGED HER MIND,  
AND ALSO WOULDN'T ALLOW ME TO ANSWER HER  
QUESTIONS, CUTTING ME OFF EVERY NOW AND THEN

DID YOU READ THE TRANSCRIPTS OF THE  
TRIAL RECORDING, IF YOU DIDN'T THE DO  
BECAUSE I'M NOT GOING TO LET THIS CASE  
BLOW IN MY CASE. I MUST BE THE WINNER

THE RESPONDANT SAID I LACK PROOF THAT THE  
RESPONDANT HAD EVER PUMPED FUMES INTO MY  
APARTMENT? I HAVE PROOF, OVER PROOF, OVER  
PROOF MANY TIME OVER

THEIR CONTENTION THAT I LACK PROOF THAT  
THEY HAD PUMPED TOXINS INTO MY APARTMENT  
IS BASELESS. I'VE SPOKEN WITH THEM  
ABOUT IT MANY TIME AND THEY ARE STILL  
PUMPING IT. MY LETTERS TO THEM SHOWS  
WHY ARE THE PEOPLE WHO WANT TO KILL

I MOVED INTO THE APARTMENT. THEY BRIBE  
PEOPLE TO KILL ME, SO THEY WERE BRIBED  
TO DO IT FOR THEM, THAT'S THEY ARE IN  
AND AROUND THE BUILDING CALLING ME  
NAMES DAY AND NIGHT. THEY DON'T LIVE THERE.  
MY MEDICAL RECORDS SHOWS IT HAVING  
EFFECTS ON MY HEALTH

6

ARE THEY HEAVY METALS, YES  
ARE HEAVY METALS POISONS, YES  
DO POISONS MAIM, CAUSES DISEASES,  
AND KILLS, YES.

WHY IS DR. PHILLIPS AN INTERNAL MEDICINE AND MEDICAL TOXICOLOGIST? IF TOXINS ARE GOOD FOR HUMAN, WHY DID HE BOtherED HIMSELF TO STUDY THEM? DOES HE KNOWS NOT ALL HUMANS ARE HEALTHY ENOUGH TO TOLERATE EVEN THE SLIGHTEST OF SOME THINGS THAT WILL NOT BOTHER OTHERS I MEAN NOT EVERYONE IS HEALTHY ENOUGH TO WITHSTAND SOME THINGS WHICH DOES NOT BOTHER OTHERS EVEN IN ITS POTENCY.

PHILLIP OPINED THAT THE LAB TESTS WERE NOT EVIDENCE OF TOXICITY OR HARM, SO THEN WHERE DOES MY C.O.P.D/EMPHYSEMA COME FROM NOT BEING A SMOKER? WHERE DOES MY INTERNAL BLEEDING COME FROM OF WHICH I NEVER HAD ONE IN ALL MY 67 YEARS OF MY LIFE.

THIS IS HOW I GOT IT, THEY PUMPED SO MUCH TOXIN THAT EVENING THAT IT KNOCKED ME OFF INTO VERY DEEP SLEEP BEING A LIGHT SLEEPER

7

WHEN I GOT UP ALL OF A SUDDEN MY BELLY  
WAS IN EXCRUCIATING PAIN I CALL THE AMBULANCE  
WHICH CAME TO TAKE ME TO THE HOSPITAL, THOSE PEOPLE  
I AM TALKING ABOUT WHO HAS BRIBED RESERVE AT  
SEATAC WORKERS TO KILL ME FOR THEM FOLLOWED  
ME, THE AMBULANCE TO THE HOSPITAL BRIBED THE  
DOCTORS NOT TO HELP ME BECAUSE THEY WANT ME DEAD  
SO THE DOCTORS DIDN'T, I WAS EVEN VOMITTING, THEY  
DIDN'T HELP SO I ASK THEM TO CALL ME ANOTHER  
AMBULANCE TO TAKE ME TO ANOTHER HOSPITAL, THEY SAID  
IT CANNOT BE DONE AND OFFERED ME A BUS TICKET  
INSTEAD, IT WAS MIDDLE OF THE NIGHT, HOW CAN I  
GO AND WAIT FOR THE BUS WITH ME IN GREAT PAIN  
AND ALSO VOMITTING, SO A TAXI CAME AROUND AND  
I TOOK IT, I DIDN'T HAVE MONEY IN MY PURSE SO  
WE STOP AT AN ATM, MACHINE TOOK SOME  
MONEY AND WE CONTINUE TO ANOTHER HOSPITAL  
WHERE I WAS TAKEN CARE OF BECAUSE  
THERE WERE MANY DOCTORS THERE SO THEY  
COULDN'T REFUSE TO TAKE CARE OF ME. THAT'S  
WHERE THEY FOUND THAT I WAS HAVING  
INTERNAL BLEEDING.

THE LAW PHILLIP QUOTED AND REFER TO AS  
INADMISSIBLE, NAMELY ER 702 AND FRYE V.  
UNITED STATES 293 F. 1013 (D.C. CIR 1923)

DOES NOT APPLY IN MY CASE, THE REASON  
IS AS FOLLOWS — MY TOXIC POISONING IS

(8)

STILL ON GOING, IF YOU GO THROUGH MY TOXICOLOGY REPORT, YOU WILL NOTICE THAT THEY ARE TWO DIFFERENT DATES WITH ABOUT 8 MONTHS APART SHOWING THAT IT WAS ON GOING AND IT'S STILL ON GOING RIGHT TO THIS DAY AND DATE I'M WRITING THIS MOTION TO RECONSIDER TO MAKE YOU KNOW THE TRUTH I AM DOING THE TEST AGAIN, I SENT MY HAIR AGAIN TO THE LAB, I HAVEN'T RECEIVE THE RESULT YET AND WHEN I RECEIVE THE RESULT I WILL SEND A COPY TO THIS COURT TO MAKE KNOWN THE TRUTH. WHAT PHILLIP SAID WAS ONLY THE ONE I DID THE FIRST TIME WITH THE 4 RESULT AND NOT UNDER THE ONE WITH 6 RESULT. AGAIN THE FUMES IS STILL ON GOING SO IT KEEPS INCREASING IN MY BODY AND STILL CAUSING ME SICKNESSES EVEN THE FIRST TEST WHICH IS 4 HEAVY METALS CAUSED ME LUNGS PROBLEM. I WAS COUGHING BLOOD AND WAS IN THE HOSPITAL FOR A WEEK AND THAT WAS IN MARCH 2017. I HAD WANTED TO GO AND GET FRESH MEDICAL RECORD BUT BECAUSE OF CORONA VIRUS RECORD OFFICE DOES NOT OPEN.

(9)

SO I REPEAT THAT LAW PHILLIP QUOTED DOES NOT APPLY IN MY CASE, HE DIDN'T EVEN SAY HOW MANY THE POISON WERE, IT DEFINITELY MAY BE ONLY ONE POISON, YOU MAY CHECK IT YOURSELF, SO AGAIN IT DOESN'T FIT MY CASE SO IT MUST BE DISANNULLED.

MY CASE IS SO MAGNITUDE AND GREATLY UNIQUE THAT IT HASN'T HAPPEN IN ANY PART OF THE UNITED STATES OR EVEN THE WORLD HAVE ANYONE HEARD THAT ANY PERSON IN UNITED STATES LIVING IN APARTMENT BUILDING HAS THIS MUCH POISONING IN HIS OR HER BODY? NO, NOT ONE.

ANYONE WHO HAS POISON IN HIS BODY HAS ONLY ONE NAMELY LEAD

POISON TEST ARE NOT DONE WITH ONLY BLOOD OR URINE ALONE. IT CAN BE DONE WITH HAIR AS I HAVE DONE AND IT ALSO CAN BE DONE WITH FINGER OR TOE NAILS

MY MEDICAL RECORDS WAS NOT ONLY NOVEMBER 2018, THE DEFENDANT'S OR RESPONDANT'S ATTORNEY IS MY WITNESS OVER THIS.

RESPONDANT'S ATTORNEY IS KEEPING SO SECRETS IN TALKING ABOUT MISS BAMBERGER.

MISS BAMBERGER SENT ME A CONSENT FORM FOR ME TO SIGN TO COLLECT MY MEDICAL RECORDS AND I DID SO SHE HAS ALL MY MEDICAL RECORDS, MY X-RAYS AND MAYBE OTHER STUFF TOO. ENOUGH HERE

NOW LET ME COME BACK TO THE PUMPING OF FUMES. I KNOW FOR SURE THAT THE ONES PUMPING THE FUMES. CAN ONE APARTMENT EMIT MANY DIFFERENT KIND OF POISON WITHOUT A CAUSE? AND IF THEY ARE NOT THE ONES DOING IT AND I HAVE REPORTED IT TO THEM AND NOT TO THEM ONLY BUT TO INDIGO REAL ESTATE AND TO PLYMOUTH HOUSING GROUP ALSO AND THEY ALL HAVE STOP THEIR EARS FROM MY CRY THEN ARE THEY NOT TO BE HELD ACCOUNTABLE?

ALLOW ME TO SUGGEST SOMETHING HERE LET'S SAY FOR INSTANCE THERE IS SOME WATER ON THE FLOOR SOMEWHERE IN THE BUILDING AND IT HAS BEEN REPORTED TO THE OFFICE AND NOTHING WAS DONE TO IT AND SOMEONE SLIPPED ON IT, FELL TO THE GROUND AND BROKE HER HIP BONE, WHICH THEY GO FREE OR THERE BE HELD ACCOUNTABLE.

(11)

WHAT ABOUT IF THERE IS SPARKS  
 COMING OF THE ELECTRICAL Sockets IN  
 MY APARTMENT AND I REPORTED IT TO THEM, WHAT  
 DO ANYONE THINK THEY WILL DO? THEY WILL RUN  
 TO TAKE CARE OF IT, ISN'T IT, IT IS, FOR FEAR  
 THEIR APARTMENT BUILDING WILL BURN DOWN.  
 ALL THIS I'M TALKING ABOUT APPLIES  
 TO MY CASE.

NOW LET ME BREAK IT DOWN FOR EVERYONE TO KNOW. THEY DID POUR THE WATER ON THE FLOOR YET THEY DIDN'T DO ANYTHING ABOUT SOMEONE SLIP FELL BROKE BONES, THEY WILL BEAR THE COST OF THE INJURY. ONE MORE THING, SNOW FALLS IN FRONT OF THE BUILDING ITS THEIR DUTY TO CLEAR IT, THEY DON'T, SOMEONE FALLS AND HAD INJURY, THEY GOES TO THEM EVEN THOUGH THEY DIDN'T CAUSE THE SNOW TO FALL.

THE SAME APPLY IN MY CASE. INVESTIGATE THE CAUSE AND CORRECT SIMPLE AND SHORT AND FOR OVER 3 YEARS THEY HAVE TURNED A BLIND EYE TO IT OVER ALL THE WARNINGS I GAVE THEM. THEY SHOULD BE HELD RESPONSIBLE.

(12)

SO IF THEY ARE NOT THE ONES DOING IT AS THEY ARE, THEY NOT OBLIGE BY LAW TO KEEP TENANTS SAFE AND SECURE AS CHAPTER 59.18 R.C.W. GOOD FAITH OBLIGATION DEMAND, QUOTE - STATE LAW REQUIRES LANDLORDS AND TENANTS TO ACT IN GOOD FAITH TOWARD ONE ANOTHER.

### RIGHTS OF ALL TENANTS

REGARDLESS OF WHETHER THEY ARE COVERED BY THE RESIDENTIAL LANDLORD-TENANTS ACT ALL RENTER HAVE THESE BASIC RIGHTS UNDER OTHER STATE LAWS: THE RIGHT TO LIVABLE DWELLING; PROTECTION FROM UNLAWFUL DISCRIMINATION; RIGHT TO HOLD THE LANDLORD LIABLE FOR PERSONAL INJURY OR PROPERTY DAMAGE CAUSED BY THE LANDLORD'S NEGLIGENCE; PROTECTION AGAINST LOCKOUTS AND SEIZURE OF PERSONAL PROPERTY BY THE LANDLORD AND I HAVE PROVEN NEGLIGENCE BY REPORT FUMES FOR MANY YEARS AND THEY HAVE DONE NOTHING ABOUT IT WHICH HAS CAUSED ME HARM AND INJURIES AND IT'S STILL ON-GOING.

WHEN I GET THIS RECENT LAB TEST RESULT I WILL BRING IT TO COURT AS SUPPLEMENT TO MY MOTION TO RECONSIDER.

(13)

## DISCUSSION

PLAINTIFF HAS ALREADY PROVEN THAT GENUINE ISSUE EXISTS - GO BACK TO MY MEDICAL RECORDS AND THEY SHOW GENUINE ISSUE EXISTS AND I ALSO HOLD ATTORNEY BAMBERGER ACCOUNTABLE FOR HAVING MY MEDICAL RECORDS AND HIDING IT IN ORDER TO WIN HER CASE, THIS IS A CRIMINAL DEED AND SHOULD GO AGAINST HER RESPONDANT'S CASE.

I HAVE SO MANY PROOFS IN MY CASE WHICH FOR SOME REASON HAVE BEEN IGNORED BY THE COURT AND STILL BEING IGNORE. ALL THE LAW QUOTED BY THE ATTORNEY OF THE DEFENDANT'S OR THE RESPONDANT'S DOES NOT APPLY IN MY CASE AND MUST BE EXCLUDED

I HAVE PROVEN NEGLIGENCE

- ① EXISTENCE OF DUTY OWEDED TO ME
  - Ⓐ PROOF - CHARTER 59-18 R.C.W.
- ② BREACH OF DUTY.
  - Ⓑ PROOF - MY LETTERS TO THEM OF WARNING ABOUT FUMES AND THEY NEGLECT TO INVESTIGATE AND RECTIFY
- ③ A RESULTING INJURIES,
  - Ⓓ PROOF - MEDICAL RECORDS SHOWS
- ④ THE BREACH AS THE PROXIMATE CAUSE OF INJURY
  - Ⓔ PROOF - I DON'T SMOKE OR DRINK WHAT CAUSED MY C.-O.-P.-D./EMPHYSEMA, INTERNAL BLEEDING.

I ALSO HAVE DOCTOR REPORT OF TOXICOLOGIST AND MY OWN MEDICAL RECORDS FROM DOCTORS.

## SUMMARY JUDGMENT DISMISSAL

IT IS BIASED. WHAT I DID SAY WAS ALL TRUE IT WAS FAVORITISM THAT CAUSED ME TO LOSE THE CASE. ARE THEY SAYING TOXINS AS MANY AND DIFFERENCES CANNOT CAUSE ANY SICKNESS? I'M BEING KIDDIN' HERE, DOES ENVIRONMENTAL POLLUTION CAUSE HEALTH HAZARDS? THAT'S WHY PEOPLE HOLD THAT'S WHY PEOPLE HOLD PROTEST AGAINST IT

LABORATORY TEST DON'T CONSTITUTE QUALIFIED EXPERT TESTIMONY? SO THEN WHY ARE THEY SEEING PATIENTS ALL OVER AMERICA.

COLLEY AND KEATING SAID NO DUCTWORK? SO HOW DID THE HEAVY METAL DUSTS GOT INTO MY APARTMENT AND NONE OTHER ELSE'S GOT INTO MY APARTMENT IN ANY OTHERS APARTMENT. IF THERE ARE FUMES ABOUT IT, DOESN'T PEOPLE DO? SO HOW DOES THE HEAVY METALS GOT INTO MY BODY AS MANY AS THEY ARE, DIFFERENT KINDS.

ESSILFIE DID MAKE A SHOWING SUFFICIENT TO ESTABLISH HIS EXISTENCE OF ALL ELEMENT BUT IT'S FAVORITISM THAT MADE ME LOSE MY CASE

THE TRIAL COURT ERR IN MY NEGLIGENCE AND ALL OTHER THINGS SUPPORTING CASE AND DISMISS MY CASE WITH PREJUDICE.

YES THE COURT OVERLOOKED THE SERIOUSNESS OF ESSILFIE DISEASES CAUSED BY HEAVY METALS WHICH SEND ME TO THE HOSPITAL WARDS FROM TIME TO TIME. DO YOU KNOW INTERNAL BLEEDING HAS CAUSED AND STILL CAUSE MANY DEATHS? SO MY RECONSIDERATION STANDS ON BLIND JUDGMENT.

MY REASON FOR NOT QUOTING ANY LAW  
IS I COULD NOT FIND ANY LAW SIMILAR TO MY  
IN THE LAW BOOKS.

EVERY POISONING CASE I FIND CONCERN'S  
ONLY ONE POISON. MINE IS MANY POISONS AS  
MANY AS ~~TEN~~ (10) POISONS IN MY BODY SO IT'S  
OF NO CONSEQUENCE TO QUOTE ANY LAW BECAUSE MY  
CASE IS OF SUCH MAGNITUDE, SO GREAT, LAWS ABOUT  
POISONS IN THE LAW BOOKS CAN'T MUCH MINE

I GOT TEN (10) POISONS IN MY BODY ALREADY  
I DID TWO (2) TOXICOLOGY TEST WITH ABOUT  
EIGHT (8) MONTHS INTERVAL BETWEEN THE  
TWO (2) AND IN BOTH TIMES NEW HEAVY METE  
WERE FOUND AND ~~AT~~ EVEN AT THIS POINT I'M WRITING  
FUMES ARE STILL BEING PUMPED INTO MY APARTMENT  
WHAT LAW CAN I QUOTE I SUPPORT OF THIS. I'M DOING  
A NEW TEST, IN A FEW DAYS I WILL GET THE RESULT AND  
I WILL FILE IT AS SUPPLEMENT TO THIS MOTION.

WHAT I'M GOING THROUGH IS UNPRECEDENTED  
AND IT'S VERY HORRIBLE NO LAW CAN MUCH IT  
HAS ANYONE EVER HEARD ANYONE POISONED IN  
AN APARTMENT WITH SUCH MANY POISONS? NOWHERE  
HERE OR IN THE WORLD.

THEY WANT EXPERT DOCTORS BEFORE MY MEDICAL  
CAN BE ACCEPTED? THOSE IN THE EMERGENCY ROOM  
ARE EXPERT ELSE THEY WOULDN'T BE THERE THOSE  
DOCTORS ARE OBLIGE BY LAW TO KEEP PATIENTS ALIVE  
WHILE THERE IS A CHANCE OF RECOVERY, IF SO, THEN  
ARE THEY NOT EXPERTS

IT IS THE BUILDING OFFICE'S DUTY TO KEEP TENANTS  
SAFE FROM DANGERS THEY FAILED TO DO THEIR DUTY HERE  
AND IT'S NEGLIGENCE AND I HAVE PROOF SO MANY THINGS  
ATTACHED TO IT.

THERE'S NO LAW I CAN QUOTE IN SUPPORT OF THIS PLIGHT  
I'M GOING THROUGH. MY DOOR IS PROPPED OPEN 24 HOURS A DAY  
BECAUSE OF THE FUMES AND SOMEONE IS THROWING EGGS INTO MY  
APARTMENT I'VE REPORTED IT TO THE POLICE.

I CONCURRED THAT EVEN IF THEY ARE NOT RESPONSIBLE DIRECTLY THEY HAVE AN OBLIGATION TO KEEP ME SAFE BY INVESTIGATION AND RECTIFYING THE DANGEROUS SITUATION.

ALL THE LAWS QUOTED BY THE RESPONDENT ATTORNEY DOES NOT APPLY IN MY CASE.

YOU CAN'T APPLY SOMETHING SMALL AS ONE POISON IN SOMEONE BODY TO MANY POISONS IN ANOTHER PERSON'S BODY. NO, NO IT SHOULDN'T BE ONE SIZE FITS ALL.

YES THE TRIAL COURT ABUSED ITS DISCRETION IN DENYING ESSILFIE'S MOTION FOR RECONSIDERATION SO —

WE AFFIRM.

MUST BE DISANNULLED  
AND MY CASE REINSTATED.

*the Ensign*

WE CONCUR.

MUST BE DISANNULLED ALSO.

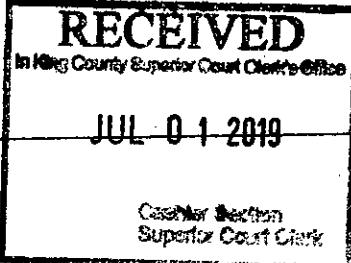
I CAN'T GET A FAIR REVIEW OF MY CASE IN STATE  
SO I MAY TAKE MY CASE TO WASHINGTON D.C. SUPREME COURT  
AND TO CONGRESS.

*the Ensign*

V

# APPENDIX





April 5, 2019

Page 1

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

IN AND FOR THE COUNTY OF KING

JOSEPH ESSILFIE, )  
Plaintiff, )  
v. ) King County Superior Court  
KEATING, et al. ) No. 18-2-54619-2  
Defendant. )  
COA No. 80026-4-I

**COPY**

Verbatim Transcript from Recorded Proceedings

Motion for Defendant's Summary Judgment

Before The Honorable LAURA INVEEN

April 5, 2019

King County Courthouse  
Seattle, Washington

APPEARANCES:

For the Plaintiff:

Joseph Essilfie, Pro Se  
19707 International Blvd.  
Seattle, WA 98188  
347.373.1455

For the Defendant:

Sylvia Karen Bamberger, #18478  
Betts Patterson & Mines PS  
701 Pike St., Suite 1400  
Seattle, WA 98101  
206.292.9988 EXT 8634  
kbamberger@bpmlaw.com

TRANSCRIBED BY: Grace Hitchman, AAERT, CET-663

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1 (The Honorable Laura Inveen presiding)

2 (Friday, April 5, 2019)

3 (Recording begins 9:57 a.m.)

4 THE COURT: Have a seat at the table. Just right  
5 here. Today we are here in a hearing in the case entitled  
6 Joseph -- Essilfie?

7 MR. ESSILFIE: Yes.

8 THE COURT: Is that right? Am I pronouncing it  
9 correctly?

10 MR. ESSILFIE: Yes.

11 THE COURT: Okay. Have a seat, Mr. Essilfie. And  
12 -- versus a number of defendants, Jordan Keating, Leah  
13 Colley, Josh, and then an unidentified other male worker,  
14 Reserve at SeaTac Partners, Plymouth Housing, and Indigo  
15 Real Estate. Now there is -- case No. 18-2-54619-2. And  
16 this matter is before the Court but not on behalf of all of  
17 the defendants, I understand. And so I think Mr. Essilfie  
18 is here and then one other individual, and I'll have her  
19 introduce herself for the Court and who she's representing.

20 MS. BAMBERGER: Good morning, Your Honor. Karen  
21 Bamberger, and I am here for all the defendants except  
22 Plymouth Housing Group that I don't believe has even  
23 appeared in the matter. But all but Plymouth Housing.

24 THE COURT: And so I -- in reviewing -- have a seat.  
25 In reviewing the electronic file, I noticed there was a

Page 3

1 notice of appearance from Barry Ziker. Is he -- with a  
2 different law firm. Who is he representing, if anyone at  
3 this point?

4 MS. BAMBERGER: I thought we had filed a notice of  
5 substitution or maybe of association. But in any event, Mr.  
6 Ziker -- I don't have his notice of appearance in front of  
7 me, but he also would be appearing, I believe, on behalf of  
8 all the same defendants that I am. He's not representing --

9 THE COURT: And he wasn't given notice of this  
10 motion. And so that's what I was concerned about.

11 MS. BAMBERGER: He -- oh. I can tell you he has  
12 notice of the motion.

13 THE COURT: All right.

14 MS. BAMBERGER: In fact, I thought he was going to  
15 be here, and then I thought we had filed a notice of -- or  
16 he had filed a notice of withdrawal, but perhaps not.

17 THE COURT: I didn't see it, but I could have  
18 overlooked it.

19 So we were -- this was scheduled for -- in February,  
20 and that's when the snow came, and so we had to reschedule  
21 it. This is the defendant's motion for summary judgment,  
22 which is a procedure -- it looks like Mr. Essilfie has a  
23 pretty good understanding of it because he wrote a pretty  
24 good response. But this is a procedure by which the  
25 defendants are basically asking me as the judge to make a

Page 4

1 legal ruling to stop the case before it goes forward any  
2 further and saying that there just isn't enough information  
3 to even provide a trial.

4 And so I will hear an argument from the defendants  
5 first and then Mr. Essilfie has the opportunity to respond.  
6 And then the defendants, because they are the moving  
7 parties, get the final word. And I have received all of the  
8 materials from both sides on the case. So I'll hear from  
9 Ms. Bamberger. You're welcome just to argue from the table.

10 MS. BAMBERGER: Okay. Thank you, Your Honor.

11 As Your Honor notes, this is a motion for summary  
12 judgment. This is not the first time we have been before a  
13 court, and we filed a similar motion for summary judgment,  
14 and that was dismissed by Judge Moore in September of 2018,  
15 albeit without prejudice. And I think really the only thing  
16 that changed between that time and now is that Mr. Essilfie  
17 filed a different complaint adding slightly different  
18 defendants, and he filed some more -- I don't really want to  
19 call it evidence, but I guess it's evidence, of additional  
20 testing that he had done.

21 And our position, Your Honor, is that this simply  
22 does not change the outcome, that the burden of proof is  
23 with Mr. Essilfie to show duty, breach of duty, causation of  
24 damages. We laid out in our moving papers with declarations  
25 from a qualified toxicologist, Dr. Scott Phillips, board-

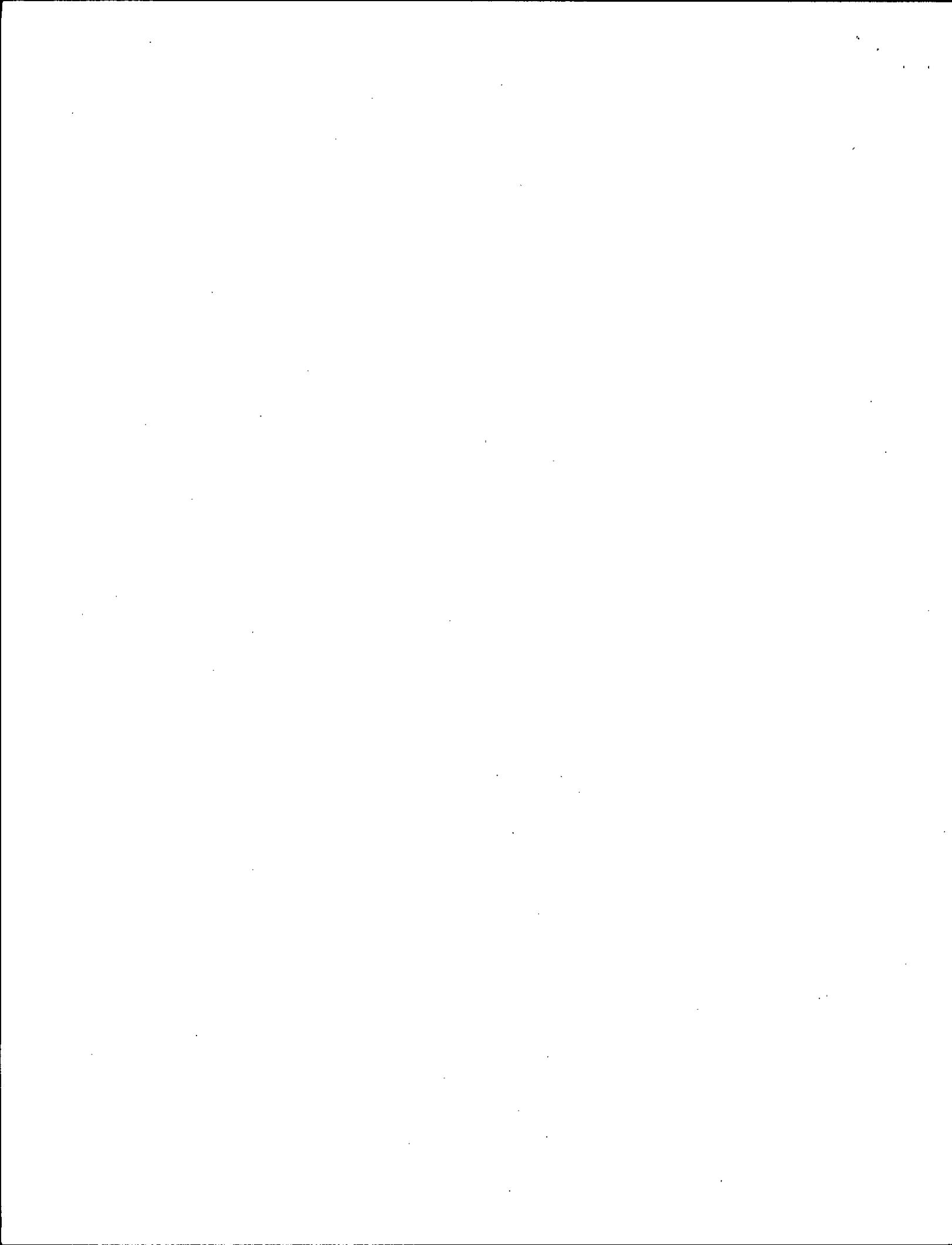
Page 5

1 certified, that the test results from the Carson Company  
2 simply don't meet the scientific rigors of Frye or ER 702.  
3 The hair samples don't show what Mr. Essilfie, I think,  
4 believes they show. Even if the hair samples had high  
5 levels, and Dr. Phillips explains why they are not high  
6 relative to the EPA, toxicity isn't determined by hair  
7 samples. Carson reported sulfates but no chemicals or  
8 toxins were detected. Dr. Phillips stated, quote, I opine  
9 that for this claimant, there is no evidence of toxicity,  
10 cancer, or poisoning by gas or other chemicals.

11 The napkin test, which I think is new since the last  
12 hearing, also doesn't meet the burden of proof. It's a page  
13 of a sample, I guess, of a napkin. We don't know where the  
14 napkin came from. There was no control napkin. There's a  
15 lot of evidentiary issues with that.

16 And so our position remains as it was back in  
17 September of 2018, that Mr. Essilfie simply does not -- has  
18 not and cannot meet the burden of proof to establish the  
19 essential elements of the negligence cause of action. And  
20 for that reason, Your Honor, we believe that motion for  
21 summary judgment is appropriate. Thank you.

22 THE COURT: And before I hear from you, Mr.  
23 Essilfie, I just wanted to turn to -- might have a question  
24 or two. I wanted to remind myself. And feel free to have a  
25 seat. I'm going to turn to Mr. Essilfie's response here.



1           All right. So I will hear from you.

2           MR. ESSILFIE: Thank you, Your Honor. The reason  
3       why I brought them to court is that the beginning of the  
4       problem started in Rochester, New York, some people  
5       bothering me. And I was (indiscernible) from them, running  
6       from them. They told me I -- they tell me that I am a  
7       whore. And so I return to -- and so to the grandmothers and  
8       mothers, and they said they need to kill me. So they  
9       followed me everywhere. That's why I ended up here.

10          THE COURT: What year was that?

11          MR. ESSILFIE: It started about five years ago.  
12       They have been following me everywhere. City to city, state  
13       to state.

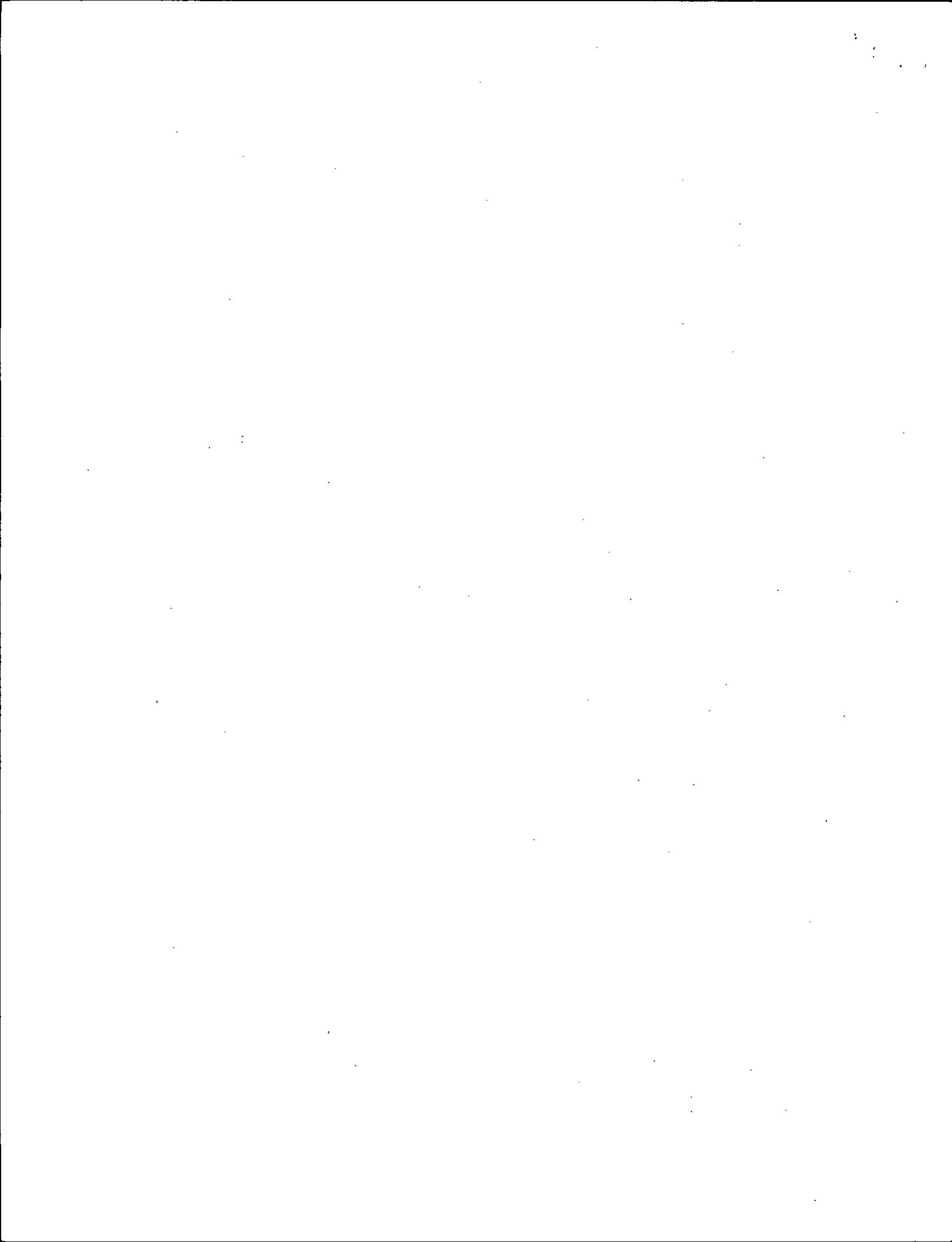
14          THE COURT: Are these people that you could see?

15          MR. ESSILFIE: Yeah. They live -- we live together  
16       in the same apartment. And so they say I have HIV, but I  
17       don't have HIV. The defendant's lawyer sent me a consent  
18       form to fill it out and send it back to her to get my  
19       medical records. I did that. And there's no HIV there.  
20       She can very witness.

21          So I -- this -- I -- returning to the grandmothers  
22       and mothers, they say that I don't respect the elderly and  
23       they need to kill me.

24          THE COURT: Whose grandmothers and mothers?

25          MR. ESSILFIE: Those who are saying I am a whore and



1 I have HIV, yeah. They -- we live in the same apartment  
2 building, and that's what they were bothering me with.

3 THE COURT: The one in SeaTac?

4 MR. ESSILFIE: In -- no. In Rochester, New York.

5 THE COURT: Oh, in Rochester --

6 MR. ESSILFIE: It started in Rochester, New York.

7 THE COURT: Okay.

8 MR. ESSILFIE: So I was trying to run away when they  
9 said they need to kill me. I don't respect the elderly, so  
10 they need to kill me. They hired hit man so I was trying to  
11 run away. I went to the Bronx. They followed me there. I  
12 was (indiscernible) leaving house, surrounded me. I'm  
13 sleeping outside, calling -- from there I came to Portland.  
14 They followed me to Portland. From Portland I came to  
15 Seattle here. They followed me here. All the time I was  
16 homeless, they live in cars. They have seven people. They  
17 live in cars. They are not kids. They are adults. The  
18 oldest may be early 70s --

19 THE COURT: Why would they care about you?

20 MR. ESSILFIE: Yeah. I don't know why. And they  
21 said they need to kill me because I don't respect the  
22 elderly because I insulted the grandmothers and mothers.  
23 And so they started following me. I came here. I went back  
24 to New York. They came back. And then from New York I came  
25 to Portland, Oregon. They followed me there -- no. From

1 San Francisco -- they followed me to San Francisco. I  
2 didn't stay there. I followed -- I came to Seattle here.  
3 They came here. I was homeless.

4 They attacking me everywhere, disgracing me,  
5 everything. Tell people I have HIV, everywhere. Even in  
6 this court, they disgrace me here. If you ask those are the  
7 security, they will tell you. They disgrace me.

8 THE COURT: Do you have other cases that are going  
9 on?

10 MR. ESSILFIE: What?

11 THE COURT: Do you have other cases that are going  
12 on? When you say that --

13 MR. ESSILFIE: Yes.

14 THE COURT: Okay.

15 MR. ESSILFIE: And they tell me, they scream the  
16 last one, that was (indiscernible) I was told the case  
17 schedule, I didn't follow it.

18 THE COURT: Okay.

19 MR. ESSILFIE: I didn't follow the case schedule so  
20 they dismiss me. And so I came. And then I was homeless  
21 for a long time. They are following me everywhere. So this  
22 -- my caseworker, he is the one who found me the place I am  
23 living now.

24 THE COURT: So he's on your side?

25 MR. ESSILFIE: No. He's not here with me.

1           THE COURT: Pardon?

2           MR. ESSILFIE: He's not here with me.

3           THE COURT: No. But has he been -- he supports you?

4           MR. ESSILFIE: Yeah. Yeah.

5           THE COURT: He's helping you?

6           MR. ESSILFIE: Yeah.

7           THE COURT: And what agency is he with?

8           UNIDENTIFIED SPEAKER: Harborview Medical Center.

9           MR. ESSILFIE: And so he has found me the place. So  
10 when I got there, I gave them my HIV test result. That some  
11 people are bothering me, don't listen to them. I gave it to  
12 them. They made a copy. I have got that in first of  
13 December, 1st of December in 2016. I give it to them. They  
14 made a copy. I'm told everything will be okay.

15           And then in February they started pumping toxic  
16 fumes. I want to die. I told them, they said report it to  
17 the -- nobody lives there. They -- I thought they were  
18 pumping it from Apartment 5 Sunset. I live in 4 Sunset.  
19 And that's where they pumping the fumes. They said report  
20 it to police. So I did report it. And the police gave me a  
21 card with my case number.

22           Your Honor asked me where it is. They came and  
23 stole it. Anytime I'm out of the apartment, they go inside  
24 my apartment.

25           THE COURT: Do you lock your door?

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1           MR. ESSILFIE: Yeah, I lock it. They go there --  
2 because they -- own the apartment buildings there, they have  
3 the keys to all of the apartment buildings. They go into  
4 the apartments in the building.

5           I reported everything to him. They pour out my  
6 medication. They stole my bread knife. They -- we even  
7 called these people, mental clinic. They came there. We  
8 heard them meeting in the office. I told them the same  
9 thing that -- the fumes, the fumes. Kept going to them,  
10 kept going -- I warned them several times. They didn't do  
11 anything.

12           Okay. I started writing letters to them. I wrote  
13 letters to the new manager there several times. Do  
14 something about it. Nothing was done. I wrote letter to  
15 (indiscernible) Martin (indiscernible). I wrote another  
16 letter to another office of -- nothing has been done. These  
17 fumes are going home. They are giving me sicknesses many  
18 times. I don't drink. I don't smoke. I don't do drugs,  
19 yet I have emphysema. I have emphysema. I have COPD. And  
20 then the last one is give me -- I was sleeping. The fumes,  
21 were so much in my apartment. When I --

22           THE COURT: How many units are in this building?

23           MR. ESSILFIE: Many, many. Of -- mine is the 4th  
24 floor so about 166 apartments in the 4th floor I think.

25           UNIDENTIFIED SPEAKER: It's very large, yes.

1 MR. ESSILFIE: Yeah.

2 THE COURT: And is anyone else complaining about  
3 this?

4 MR. ESSILFIE: No. It's directed to me. Because  
5 they want to kill me, they bribe people to poison me. They  
6 bribe doctors, lawyers. I have hired a lawyer. I paid the  
7 lawyer over 3,000 initial consultation. I found out that he  
8 was instead helping them. That's why I took my case from  
9 him. And I called several people, several lawyers, couldn't  
10 get anybody. So that's why I brought him here.

11 I warned them. They bribe people, doctors, lawyers,  
12 nurses, hospital workers, everywhere I go. And so I have  
13 warned them several times. They didn't do anything. Then I  
14 said I wanted my doctors to have me evaluated -- the doctors  
15 to refer me to toxicology.

16 THE COURT: Who -- why would they do that?

17 MR. ESSILFIE: Yes -- they want me dead.

18 THE COURT: Why?

19 MR. ESSILFIE: They said I don't respect the  
20 elderly. They --

21 THE COURT: Well, lots of people don't respect the  
22 elderly --

23 MR. ESSILFIE: Yeah.

24 THE COURT: -- but they don't want to be --

25 MR. ESSILFIE: Yeah. The oldest is about 70 years.

1           THE COURT: Do you have names of these people?

2           MR. ESSILFIE: I don't know their names. They know  
3 my name, my Social Security Number, my telephone number.  
4 They track me around with all those things.

5           So I was looking for someplace to get a test done.  
6 The doctors didn't help me. So I Google and I Google and I  
7 found the Carson Company. And they did a test for me and  
8 they found all these heavy metals. The first one I did, it  
9 was four heavy metals. The second one I did -- because it  
10 was still going on, even the first (indiscernible) I wrote  
11 to the (indiscernible). The fumes is still going on. So I  
12 did the second test and true to what I said, they found  
13 other heavy metals. And then I did a room test so paper  
14 towel -- paper towel she is talking about. I wet it and  
15 then cleaned some of the dust in the room and send it to  
16 Carson and they did it.

17           They said Carson is not -- they said is not  
18 qualified. What have you done to him -- to Carson? If he  
19 -- if they are not qualified, have you reported him to BBB?  
20 Better Business Bureau? You haven't. Have you reported him  
21 to FBI? No. Have you reported him to FDA? No. They  
22 haven't reported him. That mean they consent to what they  
23 are doing. If they are playing wrong, get them to a place  
24 where they can stop them from doing what they are doing. So  
25 they are -- they haven't taken them to a place where they

1 can stop them from doing that. That means you consent to  
2 what they do. That means the result they give me is true.  
3 You consent to it, so you have to accept the test as fact.  
4 You heard it. Have you done anything about it? No. Nobody  
5 has done anything.

6 Your Honor, they take another place to me, you know,  
7 this is assault and battery case. They did (indiscernible)  
8 things to me. They said it's not intentional. If it's not  
9 intentional, look at how many heavy metals they found in me.  
10 In tests -- not intentional means it has to be maybe lead.  
11 If it's lead, one lead is what they can find in my body. If  
12 it's not intentional, maybe asbestos. You have to see  
13 asbestos only in my body. But it -- several heavy metal.  
14 That means one burden cannot spew out, but this several  
15 heavy metals like that? You know?

16 And then I -- I wrote letters to them. Come and do  
17 something to find out the problem. They haven't. Keating  
18 didn't. Ms. Colley didn't. The Intercor (phonetic), the  
19 main office, they didn't. Another place -- who was that  
20 second one? The second office? They haven't done it. And  
21 they don't care about my life.

22 THE COURT: So I'm going to stop you, and I'm going  
23 to deliver a message that you're not going to want to hear,  
24 but then I want to talk to you a little bit with you after  
25 that.

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1 I first of all want to applaud you for all of your  
2 hard work. And you have gone to a lot of effort, including  
3 obtaining the laboratory results. And I don't know -- they  
4 may -- I'm not -- I don't know that the defense attorney was  
5 saying that they are not qualified to do what they do. It's  
6 just that is that sufficient evidence to support your case?  
7 And I'm even going to park that.

8 But even taking their lab results as true, it  
9 doesn't link the defendants with those lab results. And  
10 taking all of the evidence in the light most favorable to  
11 you, which I'm required to do at this position, I don't find  
12 that the defendants in this case actually are creating fumes  
13 and then secondly that they're actually causing negative  
14 effects to your body. So I have to dismiss the case for the  
15 defendants that have filed this action.

16 Now, I know that you are -- you are a person that --  
17 you've got some really tough medical issues that you're  
18 dealing with, don't you?

19 MR. ESSILFIE: Yes.

20 THE COURT: Other -- and I don't mean to get  
21 personal, but you put in your medical records into the case.

22 MR. ESSILFIE: Yes.

23 THE COURT: Right. So I know some things about your  
24 medical records.

25 MR. ESSILFIE: Uh-huh.

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1           THE COURT: Sickle cell is really tough, isn't it?

2           MR. ESSILFIE: Yes.

3           THE COURT: You've got to deal -- I mean, that  
4 creates a lot of issues for you. And you -- are you still  
5 on insulin?

6           MR. ESSILFIE: Yeah, I'm still on insulin but, Your  
7 Honor --

8           THE COURT: And --

9           MR. ESSILFIE: -- give me (indiscernible) bleeding.  
10          I don't smoke. I don't drink. I don't --

11          THE COURT: I know, I know. And so we don't know  
12 where that came from, what that --

13          MR. ESSILFIE: This is from there.

14          THE COURT: You say it is, but, see, I can't just  
15 guess or think it is. I have to have evidence, and we don't  
16 have that so --

17          MR. ESSILFIE: Your Honor, please. Let me say one  
18 more thing.

19          THE COURT: Okay.

20          MR. ESSILFIE: If it is so and I told them I'm  
21 smelling all these fumes and I wrote to them to do something  
22 about it, why haven't they done it?

23          THE COURT: Can -- and I'm also now going to talk to  
24 you about something that is really sensitive, and I don't  
25 want to get you on the defensive. But you also have some

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1 mental health issues, correct?

2 MR. ESSILFIE: No, I don't. Because of what it --  
3 these people are doing to me, and I say it and people don't  
4 believe. So the last time -- two times I have been in the  
5 mental hospital.

6 THE COURT: Uh-huh.

7 MR. ESSILFIE: I told them to investigate. The  
8 judge gave me two weeks to stay there. They investigated.  
9 They found the truth and they shut me in five days.

10 THE COURT: I just don't want you to be running all  
11 over the country away --

12 MR. ESSILFIE: Two times.

13 THE COURT: -- from people, because I -- I think you  
14 will never stop running. You went to Rochester. You went  
15 to San Francisco.

16 MR. ESSILFIE: Yeah.

17 THE COURT: You went to Portland. And it's easy for  
18 me to tell you, but I really think that all those people  
19 have way more important things to worry about than you. And  
20 right now you're alive. Nobody has killed you.

21 And so I want you to work with your folks -- for  
22 example, Dr. Christine Curry (phonetic) says you missed some  
23 appointments with her. Do you know what I'm talking about?

24 MR. ESSILFIE: Yeah. But I don't have any name  
25 Curry.

1           THE COURT: Because there are some medications that  
2 help you not worry so much about people.

3           MR. ESSILFIE: I don't have --

4           THE COURT: And I know you don't want to hear it  
5 from me, and I'm certainly not a doctor, but I would really  
6 encourage you. I've seen -- I've been doing this business  
7 for a long time, and I've worked with people with issues  
8 regarding mental health issues. And there are some really  
9 good medications out there that can kind of take you away  
10 from worrying about things.

11           MR. ESSILFIE: No. I don't worry --

12           THE COURT: Well, you --

13           MR. ESSILFIE: -- what I'm saying is true. Is true.  
14 They found these toxins in the room, in the dust. If we are  
15 not the ones doing it, I have spoken to them about it for  
16 several months. They have to do something to show me that  
17 there is nothing there. The dust is still there. I want  
18 them to send somebody to do a dust test.

19           THE COURT: Don't you think it's curious that you're  
20 the only one in that big apartment building that's  
21 complaining?

22           MR. ESSILFIE: Yeah. Because they are directing it  
23 onto me personally.

24           THE COURT: But, see, all these people in the United  
25 States, why would they pick you?

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1 MR. ESSILFIE: Because they are -- I -- Your Honor,  
2 I'm telling you the truth. In God's name, I am telling you  
3 the truth.

4 THE COURT: I am not -- I do not think you are  
5 lying. I absolutely do not.

6 MR. ESSILFIE: Yeah. They want to kill me. This --

7 THE COURT: I --

8 MR. ESSILFIE: I don't respect the elderly. Because  
9 I -- please send somebody to the security. Ask them. Send  
10 somebody to the library. (indiscernible) library. They  
11 disgrace me everywhere. They follow me everywhere. I'm  
12 telling the truth. In God's name I'm telling the truth.  
13 I'm not lying.

14 THE COURT: I don't -- no, I don't think you are. I  
15 think you told me the -- I think you truly believe it. The  
16 question is, is that a rational belief? That's the  
17 question.

18 MR. ESSILFIE: Your Honor, please don't dismiss my  
19 case with prejudice.

20 THE COURT: Well, I'm not dismissing it against  
21 Plymouth because they're not here to ask for dismissal.

22 MR. ESSILFIE: Yeah. That's what they want you to  
23 do. To dismiss my case with prejudice.

24 THE COURT: I don't know -- I don't have -- have you  
25 served Plymouth?

1 MR. ESSILFIE: What?

2 THE COURT: Have you served Plymouth with a notice  
3 of the lawsuit? Because right now they're not in front of  
4 me, so I'm not addressing your claim, if any, against  
5 Plymouth.

6 MR. ESSILFIE: I wrote letters to them all.

7 THE COURT: Okay. I don't --

8 MR. ESSILFIE: They send somebody to inspect the  
9 place, my apartment. They came, they saw some sugar packet  
10 on the stove. They said it's combustible. So I have to  
11 remove the sugar packet. Okay.

12 THE COURT: Oh.

13 MR. ESSILFIE: They don't want the house to burn  
14 down. But they don't -- they want me -- they want my life  
15 to end. I wrote to them to say it's going on. They have to  
16 do something about it. And it -- they haven't done  
17 anything. Several times I wrote to them.

18 So, please, Your Honor, don't dismiss this case with  
19 prejudice. I'm going to die. This poison causes cancers  
20 and all these things. It's making me sick. They thing on  
21 my breathing, it's not from any of my sickness. It's not  
22 from any --

23 THE COURT: No, it's not something that would  
24 sustain a court -- a trial.

25 MR. ESSILFIE: It kills. It kills.

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1           THE COURT: Yeah, and I know you and I will probably  
2 never agree on this, but I'm thrilled that you have some  
3 support here in court. And I encourage you to continue  
4 working with him.

5           And I am going to sign the proposed order. Ms.  
6 Bamberger, do you have the order?

7           MS. BAMBERGER: I do, Your Honor.

8           THE COURT: Like I say, it doesn't dismiss it  
9 against Plymouth, but that's only because I don't know if  
10 they have officially received the summons to be in court.  
11 So have you served Plymouth officially with notice of the  
12 lawsuit?

13           MR. ESSILFIE: Yes. Yes.

14           THE COURT: There's not a notice in the file that  
15 says you have done that.

16           MR. ESSILFIE: I did. I did.

17           THE COURT: It requires you to file an affidavit of  
18 service. Do you know what that is?

19           MR. ESSILFIE: Yeah. I -- I don't have anybody --  
20 no. I don't have any -- so I Google and said I can send it  
21 by certified mail.

22           THE COURT: Yeah. Certified mail is not considered  
23 legal service for a case like this. You actually -- there  
24 are court rules that talk about how you serve it and who  
25 needs to be served. So it's probably not sufficient

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1 service.

2 Ms. Bamberger, did you receive what you considered  
3 sufficient service?

4 MR. ESSILFIE: Please, please, Your Honor --

5 MS. BAMBERGER: I think so, Your Honor --

6 MR. ESSILFIE: -- don't dismiss it with prejudice.

7 THE COURT: Okay.

8 MR. ESSILFIE: These people are killing me. I'd  
9 love to be in New York. Now I'm here.

10 THE COURT: Tell me about Rochester. What was your  
11 Rochester connection? Because my in-laws are from  
12 Rochester.

13 MR. ESSILFIE: Rochester I lost -- I was in New York  
14 City and I lost my job. And so my brother was there, so  
15 I --

16 THE COURT: What kind of work did you do?

17 MR. ESSILFIE: I was security in New York.

18 THE COURT: And so do you have family here?

19 MR. ESSILFIE: Yeah. In Rochester.

20 THE COURT: But not on the west coast?

21 MR. ESSILFIE: No.

22 THE COURT: So do you keep in touch with them?

23 MR. ESSILFIE: Sometimes, once in a while.

24 THE COURT: Okay. That's where my son is right now,  
25 is in Rochester.

1 MR. ESSILFIE: New York.

2 THE COURT: Yes. We're going to make a copy of  
3 this. And, like I say, it does not apply to Plymouth, but  
4 that's because they aren't present today. They're not  
5 making that request. I don't know -- I can't imagine that  
6 things would be different against Plymouth.

7 MR. ESSILFIE: But, Your Honor, please don't dismiss  
8 it --

9 THE COURT: You're never going to convince me and  
10 I'm never going to convince you.

11 MR. ESSILFIE: -- with prejudice. No. Don't  
12 dismiss it with prejudice please. It's a serious case. I'm  
13 going to die. Look --

14 THE COURT: We're all going to die.

15 MR. ESSILFIE: I'm 163 and now I'm 145.

16 THE COURT: That's --

17 MR. ESSILFIE: It's (indiscernible) the company tell  
18 you, not if you are a few days in this stuff. Daily for two  
19 years now. And several heavy metals. It's not -- it's  
20 intentional. They're trying -- heavy metals.

21 THE COURT: I just don't see evidence of that, I'm  
22 sorry.

23 MR. ESSILFIE: Then why is it so many heavy metals?

24 THE COURT: Well, it doesn't -- it doesn't -- the  
25 evidence does not support that. So I'm sorry I'm giving you

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1 bad news. I wish you the best.

2 MR. ESSILFIE: That being dismissed with prejudice?

3 THE COURT: With all of the defendants that Ms.

4 Bamberger represents, yes.

5 MR. ESSILFIE: With prejudice.

6 THE COURT: With prejudice.

7 MR. ESSILFIE: Oh, Your Honor.

8 THE COURT: Yeah.

9 MR. ESSILFIE: Ah.

10 THE COURT: Okay? So you take care of yourself.

11 Okay.

12 MS. BAMBERGER: Thank you, Your Honor.

13 (Recording ends 10:28 a.m.)

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April 5, 2019

Page 24

1

2 C E R T I F I C A T E

3

4 STATE OF WASHINGTON )

5 COUNTY OF KING )

6

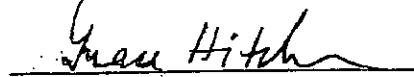
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8 Notary Public in and for the State of Washington, do hereby  
9 certify that the foregoing audiotape, videotape, and/or  
10 hearing was transcribed under my direction as a  
11 transcriptionist; and that the transcript is true and  
12 accurate to the best of my knowledge and ability; and that I  
13 am not a relative or employee or any attorney or counsel  
14 employed by the parties hereto, nor financially interested  
15 in its outcome.

16 IN WITNESS WHEREOF, I have hereunto set my hand  
17 and seal this 1st day of July, 2019.

18

19

20



Grace Hitchman, AAERT, CET-663  
In and for the State of Washington,  
residing at Seattle.  
Commission expires April 27, 2020

21

22

23

24

25

LETTERS

APPENDIX

E

(

JOSEPH ESSILFIE  
19707 INTERNATIONAL BLVD, APT 466  
SEATAC, WA 98188

INDIGO REAL ESTATE  
5415 CALIFORNIA AVE SW,  
SEATTLE, WA. 98136

DEAR SIR/MADAM

To whom in may concern

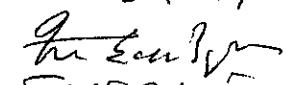
I LIVE AT RESERVE AT SEATAC, I'M THE ON WHO HAS CIVIL CASE WITH RESERVE AT SEATAC, AGAINST JORDAN KEATING AND OTHERS ABOUT TOXIC FUMES IN MY APARTMENT AND NOTHING HAS BEEN DONE ABOUT THE FUMES.

NOW, A NEW ASSISTANT MANAGER CAME TO INTRODUCE HERSELF TO ME I TOLD HER ABOUT THE FUMES THAT IS GOING ON AND THAT SHE SHOULD DO SOMETHING ABOUT IT, SHE HASN'T DONE ANYTHING ABOUT IT SO I WROTE HER A LETTER TO ASK HER TO DO SOMETHING SHE DIDN'T READ THE GOING TO DO ANYTHING WHICH SHOWS SHE IS NOT TO TELL HER TO DO SOMETHING ABOUT IT, SO THIS LETTER IS TO ASK YOU

SHE HAS BEEN BRIBE BY SOME PEOPLE WHO WANTS TO KILL ME TO DO IT FOR THEM SO SHE IS ALSO PUMP THE FUMES THE FUMES WHICH IS COMING TO MY APARTMENT #466 FROM HER IN THE TUNE \$50 MILLION IF SHE DO STOP THE FUMES. HER NAME IS JESSICA CONSULVER.

I HAVE KEPT A COPY  
OF THIS LETTER.

SINCERELY,

  
JOSEPH ESSILFIE

JOSEPH ESSILFIE  
19707 INTERNATIONAL BLVD.  
APT. 466  
SEATTLE, WA. 98188  
DEC. 19/18

Plymouth Housing Group  
2113 THIRD AVE.  
SEATTLE, WA 98121

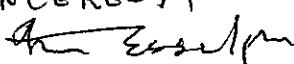
DEAR SIR/MADAM

ITS ME AGAIN, ~~AS~~ I WROTE TO YOU THAT  
THE FUMES ARE STILL GOING ON AND TO DO EVERYTHING TO  
STOP IT BUT EVERYTHING I SAID HAS FALLEN ON DEAF EARS.  
BY WRITING AGAIN TO TAKE STEPS TO RECTIFY  
THE SITUATION, I'M WAITING FOR YOU. THIS TOXIC FUME WILL  
KILL ME SO IF CONTINUES LIKE THIS.

TODAY, PEOPLE FROM YOUR OFFICE CAME HERE  
FOR INSPECTION AND YOU KNOW WHAT THEY TOLD ME? THEY  
SAID MY STOVE HAS FLAMMABLE STUFF ON IT AND I HAVE TO  
REMOVE THEM. WHAT THEY ARE TRYING TO TELL ME IS THE  
BUILDING IS MORE IMPORTANT TO THEM THAN MY LIFE. THEY  
WOULDN'T SUFFER THE BUILDING TO BURN DOWN BUT THEY  
KEPT GOING ON NO MATTER HOW MUCH I'M SENDING WARNING  
DAY AFTER DAY.

THE TOXIC FUMES HAVE SICKENED ME  
SEVERAL TIMES, THE LAST TIME WAS THIS NOVEMBER WHICH  
GAVE ME INTERNAL BLEEDING WHICH NEARLY KILLED ME, AND I  
SPEND ABOUT 12 DAYS IN THE HOSPITAL

THEY KEPT COMING TO MY APARTMENT ANY TIME I'M  
OUT. PLEASE AGAIN I WOULD YOU TO STOP THE FUMES BEFORE IT  
KILLS ME. MY DOOR IS STILL <sup>PROBABLY</sup> OPEN 24/7 PLEASE STOP THE FUMES  
TO ALLOW ME TO CLOSE MY DOOR TO KEEP ME SAFE  
JUDGEMENT. EVERYTHING I'M WRITING WILL COME UNDER

SINCERELY,  
  
JOSEPH ESSILFIE

JOSEPH ESSILFIE  
19707 INTERNATIONAL BLVD.  
APT. 466  
SEATAC, WA. 98188  
DEC. 19/18

RESERVE AT SEATAC OFFICE  
19707 INTERNATIONAL BLVD.  
SEATAC, WA. 98188

DEAR LEAH COLLEY,

I'm WARNING You AGAIN To STOP  
THE Pumping OF THE fumes INTO MY APARTMENT  
TO KILL ME WITH.

Also STOP Coming To MY APARTMENT  
466 ANYTIME I'm OUT.

SINCERELY,  
An Essilfie  
JOSEPH ESSILFIE

LEAH COLLEY  
19707 INTERNATIONAL BLVD  
SEATTLE, WA. 98188

X  
JOSEPH ESSILFIE  
19707 INTERNATIONAL BLVD  
APT 466  
SEATTLE, WA. 98188  
THURSDAY JULY 12

DEAR LEAH COLLEY,

TODAY IS THE LAST DAY I GAVE YOU TO STOP  
THE PUMPING OR POISON FUMES INTO MY APARTMENT,  
WHOEVER IS DOING THIS SHOULD BE ASKED TO STOP, IF NOT  
THEN YOU AS THE NEW MANAGER ~~HE~~ WILL BE HELD RESPONSIBLE

IT HAPPENED WHEN KEATING WAS THE MANAGER,  
I WARNED HIM AND OTHERS SEVERAL TIMES TO STOP IT BUT  
ALL MY WARNINGS AND PLEASURES FELL ON DEAF EARS AND SO  
I HAD TO TAKE A DRASIC MEASURE, AND NOW I HAVE  
\$140 MILLION LAWSUIT AGAINST HIM AND OTHERS INCLUDING  
THE PROPERTY OWNER.

I WOULDN'T ALLOW AMERICAN MURDERERS  
CUT SHORT MY LIFE, MY LIFE IS VERY IMPORTANT ME IF  
NOT TO ANYBODY AND SINCE THIS PLACE IS NOW UNDER  
YOUR SUPERVISION, I AM GOING TO TAKE YOU AND THE PROPERTY  
OWNER TO COURT AGAIN. I MAY EVER RAISE THE LAWSUIT TO  
\$70 MILLION. I ASKED YOU TO DO SOMETHINGS EVEN TO  
INFORM THE PROPERTY OWNER TO TAKE MEASURES TO RECTIFY  
THE PROBLE BUT YOU HAVEN'T DONE THAT.

Now, FROM TOMORROW OWNWARY IF I HEAR  
ANYBODIES VOICE UPSTAIRS IN APARTMENT 566 OR IF I ~~SMELL~~  
SMELL THE SLIGHTEST FUME YOU WILL GET A COURT SUMMON  
FROM ME. I DIDN'T PLAY WITH KEATING SO I'M NOT PLAYING WITH YOU.

I HAVE COPIES OF ALL THE LETTER I WROTE TO  
YOU AS MY WITNESS.

DO EVERYTHING ~~NECESSARY~~ NECESSARY TO STOP  
THE FUMES NOW

THANK YOU,

SINCERELY,  
JOSEPH ESSILFIE

18

JULY 14, 18

LEAH COLLEY.

I GOT THE NOTE YOU PUT IN MY DOOR YESTERDAY AND IT SOUNDS NONSENSE TO ME.

IN MY FIRST LETTER TO YOU I TOLD YOU TO REPORT THE MATTER TO THE PROPERTY OWNER TO BRING IN QUALIFIED AUTHORITIES TO MY APARTMENTS #466 AND ALSO 566 ON THE UPPER FLOOR. QUALIFIED AUTHORITIES MEANING TOXICOLOGY LAB PERSONNEL TO DO TESTS IN THESE TWO APARTMENTS TO DETERMINE WHAT IS CAUSING THOSE TOXIN BUT YOU REFUSE TO DO THAT TELLING YOU CHECKED THE APARTMENT AND THERE WAS NO TOXIC FUME, SO NOW I WOULD LIKE YOU TO FURNISH ME WITH LAB TEST RESULT FROM A LAB SHOWING WHAT TEST THEY DID.

IN MY CASE AGAINST KEATING I PROVIDED THEIR ATTORNEY A LAB TEST RESULT SHOWING HEAVY METAL IN MY BODY SO SHOW ME YOUR LAB TEST RESULT DISPROVING THAT.

AGAIN I TOLD YOU THE FUMES IS STILL GOING ON AT YOUR WATCH AND SINCE YOU ARE NOT PART OF THE LAWSUIT AGAINST KEATING AND OTHERS DO NOT TELL ME TO SEND ANY COMMUNICATIONS TO YOU THE THEIR ATTORNEY.

Now, AFTER YOU GET THIS NOTES DO AS I SAID THE PROPERTY OWNER SHOULD SEND LAB TECHNICIANS IN TO DETERMINE WHAT IS GOING ON, DO SO NOW, YOU'VE BECOME PART OF THE MURDERERS. LISTEN BY GOD'S GRACE POISONS CAN KILL ME AND I WILL GET WHATEVER I'M ASKING FOR IN COURT

BYE,  
JOSEPH ESSILAFÉ.

THIS IS A NOTE I POSTED AT MY DOOR WHEN THEY  
SEND PEOPLE TO → STOP → INSPECT MY  
Room.

STOP  
Do Not Enter This  
Room, Apt. # 466

IT NEEDS SPECIALIST  
TO CHECK FOR  
TOXINS

BECAUSE OF TOXIC  
FUMES I'VE BEEN  
SMELLING.

ALSO LEAVE APT # 566  
THAT ALSO NEEDS BE CHECKED

THIS IS MY SECOND LETTER, I HAVE A  
COPY AS MY WITNESS.

JOSEPH ESSILFIE  
19707 INTERNATIONAL BLVD  
APT. 466  
SEATTLE, WA 98188  
FRI. JULY 6TH

DEAR LEAH COLLEY,

LAST NIGHT I HEARD MR JORDAN KEATING'S VOICE IN

APARTMENT 566 SAYING "DEAD, MOVE" THEN THE HEAVY METAL FUMES  
STARTED COMING INTO MY APARTMENT, 466 AND ALL NIGHT I'VE  
BEEN BREATHING IN THOSE FUMES RIGHT DOWN TO THIS TIME, ALL THIS  
STARTED AT 10:30 LAST NIGHT UP TO NOW.

I HAVE ALREADY WRITTEN TO YOU AND HAVE GIVEN  
YOU INSTRUCTING AS TO WHAT TO DO, AND HAVE GIVEN YOU UP TO  
SEVEN (7) DAYS TO GET THINGS RIGHT BECAUSE NOW MR KEATING  
IS NO LONGER IN CHARGE OVER THIS PLACE, BUT YOU ARE.

YOU ARE NOT PART OF THE LAW SUIT I HAVE  
AGAINST MR KEATING AND OTHERS

NOW THAT YOU ARE IN CHARGE EVERYTHING  
HAPPENING NOW, YOU ARE RESPONSIBLE FOR IT. AND WITH <sup>THIS</sup> GOING  
ON AND ARE DOING NOTHING ABOUT IT, I CAN TAKE UP ANOTHER  
LAW SUIT AGAINST YOU AND THE OWNERS OF THIS PLACE.

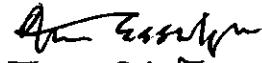
MR. KEATING RECEIVED A BRIBE FROM PEOPLE <sup>ME</sup>  
AND STARTED PUMP FUMES INTO MY APARTMENT TO FORCE <sup>ME</sup> OUT  
BY LISTENING TO PEOPLE'S LIES.

NOW, IF YOU HAVE TAKEN BRIBE FROM ANYBODY TO  
CONTINUE PUMPING THOSE FUMES, PLEASE GIVE THEM BACK THE BRIBE  
AND SAVE YOURSELF FROM TROUBLE. I WARNED MR KEATING MANY  
TIMES HE DIDN'T LISTEN AND NOW GOTTEN HIMSELF INTO A LAWSUIT.  
AND NOW YOU ARE DOING THE SAME THING HE DID, NOT TAKEN ADVICE

AGAIN, I BELIEVE EITHER HE HAS HIRED SOMEBODY TO  
CONTINUE THE PUMPING OF THE FUME OR HAS SET UP A MECHANISM  
UP THERE TO CONTINUE THE PUMPING I DON'T KNOW, YOU HAVE TO CHECK  
THIS BECAUSE THIS PLACE NOW IS UNDER YOU CARE.

I'VE ALREADY TOLD YOU TO SPEAK WITH THE LANDLORD/OWNER  
TO CALL IN FEDERAL AUTHORITIES TO HAVE THIS PLACE CHECKED, IN MY FIRST  
LETTER I GAVE YOU SEVEN (7) DAYS TO DO EVERYTHING, AFTER THAT I WILL  
TAKE ACTION. CHECK APARTMENT 566 BEFORE YOU GO HOME AND HAVE  
IT SECURED. DO NOT LET ANYONE FORCE YOU TO PUT YOURSELF INTO TROUBLE.

THANK YOU,

  
JOSEPH ESSILFIE

LEAH COLLEY  
BUSINESS MANAGER  
19707 INTERNATIONAL BLVD  
SEATTLE, WA 98188

NB DO NOT FOLLOW KEATING.

JOSEPH ESSILFIE  
19707 INTERNATIONAL BLVD  
APT 466  
SEATTLE, WA. 98188  
MON. JULY 9<sup>TH</sup> 2018

Dear LEAH COLLEY,

THIS IS MY LAST LETTER OF ADVICE FOR YOU.

I HAVE ALREADY TWO (2) LETTERS TO YOU GIVEN YOU INSTRUCTIONS AS WHAT TO DO TO KEEP ME SAFE IN MY APARTMENT (466). I GAVE YOU SEVEN (7) DAYS TO DO IT. YOU KNOW POISON'S CAN CAUSE CANCER AND MANY OTHER DISEASES AND DEATH.

THE TIME I GAVE YOU EXPIRES ON THIS COMING THURSDAY, SO READ MY FIRST LETTER ~~AGAIN~~ AGAIN AND TAKE ACTION. I WARNED MR KEATING SEVERAL TIMES, HE DIDN'T TAKE HEED AND HAS PUT HIMSELF INTO TROUBLE. HE LIKES BRIBES.

NOW, I'M WARNING YOU TOO, IF YOU ALSO LOVES BRIBES AND WOULDN'T LISTEN TO ME TO KEEP ME SAFE IN MY APARTMENT (466) THEN I HAVE NO CHOICE BUT TO TAKE A \$30 MILLION CIVIL SUIT AGAINST YOU AND AGAINST THE PROPERTY OWNER OF THIS BUILDING. I WOULDN'T ALLOW ANYONE TO CUT MY LIFE SHORT, AS GOD LIVES AND AS YOUR SOUL LIVES.

SO BY THURSDAY I SHOULD SET EVERYTHING I ASKED YOU TO DO DONE, ELSE I WILL GO AHEAD AND FILE A LAW SUIT AGAINST YOU AND THAT WILL BE TOO LATE FOR YOU TO DO ANYTHING ABOUT IT ONCE FILED.

THANK YOU,

SINCERELY,

*Joseph Essilfie*  
JOSEPH ESSILFIE.

LEAH COLLEY  
19707 INTERNATIONAL BLVD  
SEATTLE, WA. 98188

LEAH COLLEY  
19707 INTERNATIONAL BLVD  
SEATTLE, WA. 98188

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JOSEPH ESSILFIE  
19707 INTERNATIONAL BLVD  
APT 466  
SEATTLE, WA. 98188  
THURSDAY JULY, 12

DEAR LEAH COLLEY,

TODAY IS THE LAST DAY I GAVE YOU TO STOP  
THE PUMPING OF POISON FUMES INTO MY APARTMENT.  
WHOEVER IS DOING THIS SHOULD BE ASKED TO STOP, IF NOT  
THEN YOU AS THE NEW MANAGER ~~HE~~ WILL BE HELD RESPONSIBLE

IT HAPPENED WHEN KEATING WAS THE MANAGER,  
I WARNED HIM AND OTHERS SEVERAL TIMES TO STOP IT BUT  
ALL MY WARNINGS AND PLEADINGS FELL ON DEAF EARS AND SO  
I HAD TO TAKE A DRASITIC MEASURE, AND NOW I HAVE  
\$140 MILLION LAWSUIT AGAINST HIM AND OTHERS INCLUDING  
THE PROPERTY OWNER.

I WOULDN'T ALLOW AMERICAN MURDERERS  
CUT SHORT MY LIFE, MY LIFE IS VERY IMPORTANT ME IF  
NOT TO ANYBODY AND SINCE THIS PLACE IS NOW UNDER  
YOUR SUPERVISION, I AM GOING TO TAKE YOU AND THE PROPERTY  
OWNER TO COURT AGAIN. I MAY EVER RAISE THE LAWSUIT TO  
\$70 MILLION. I ASKED YOU TO DO SOMETHINGS EVEN TO  
INFORM THE PROPERTY OWNER TO TAKE MEASURES TO RECTIFY  
THE PROBLE BUT YOU HAVEN'T DONE THAT.

Now, FROM TOMORROW ONWARD IF I HEAR  
ANYBODY'S VOICE UPSTAIRS IN APARTMENT 566 OR IF I ~~SMELL~~  
SMELL THE SLIGHTEST FUME YOU WILL GET A COURT SUMMON  
FROM ME. I DIDN'T PLAY WITH KEATING SO I'M NOT PLAYING WITH YOU.

I HAVE COPIES OF ALL THE LETTER I WROTE TO  
YOU AS MY WITNESS.

DO EVERYTHING ~~NECESSARY~~ NECESSARY TO STOP  
THE FUMES NOW

THANK YOU,

SINCERELY,  
— Joseph Essilfie  
JOSEPH ESSILFIE

AP  
JULY 24, 18

LEAH COLLEY,

I GOT THE NOTE YOU PUT IN MY DOOR YESTERDAY AND IT SOUNDS NONSENSE TO ME.

IN MY FIRST LETTER TO YOU I TOLD YOU TO REPORT THIS MATTER TO THE PROPERTY OWNER TO BRING IN QUALIFIED AUTHORITIES TO MY APARTMENTS #466 AND ALSO 566 ON THE UPPER FLOOR. QUALIFIED AUTHORITIES MEANING TOXICOLOGY LAB PERSONNEL TO DO TESTS IN THESE TWO APARTMENTS TO DETERMINE WHAT IS CAUSING THOSE TOXIN BUT YOU REFUSE TO DO THAT TELLING YOU CHECKED THE APARTMENT AND THERE WAS NO TOXIC FUME, SO NOW I WOULD LIKE YOU TO FURNISH ME WITH LAB TEST RESULT FROM A LAB SHOWING WHAT TEST THEY DID.

IN MY CASE AGAINST KEATING, I PROVIDED THEIR ATTORNEY A LAB TEST RESULT SHOWING HEAVY METALS IN MY BODY SO SHOW ME YOUR LAB TEST RESULT DISPROVING THAT.

AGAIN I TOLD YOU THE FUMES IS STILL GOING ON AT YOUR WATCH AND SINCE YOU ARE NOT PART OF THE LAWSUIT AGAINST KEATING AND OTHERS DO NOT TELL ME TO SEND ANY COMMUNICATIONS TO YOU THE THEIR ATTORNEY.

NOW, AFTER YOU GET THIS NOTES DO AS I SAID THE PROPERTY OWNER SHOULD SEND LAB TECHNICIANS IN TO DETERMINE WHAT IS GOING ON, DO SO NOW, YOU'VE BECOME PART OF THE MURDERERS. LISTEN BY GOD'S GRACE POISONS CAN'T KILL ME AND I WILL GET WHATEVER I'M ASKING FOR IN COURT.

BYE,  
JOSEPH ESSILFIE.

THIS IS A NOTE I POSTED AT MY DOOR WHEN THEY  
SEND PEOPLE TO → STOP INSPECT MY  
Room.

STOP  
Do Not Enter This  
Room, Apt. #466

IT NEEDS SPECIALISTS  
TO CHECK FOR  
TOXINS

BECAUSE OF TOXIC  
FUMES I'VE BEEN  
SMELLING.

ALSO LEAVE APT # 566  
THAT ALSO NEEDS BE CHECKED

(1)

JOSEPH ESSILIE  
 19707 INTERNATIONAL BLVD.  
 APT 466  
 SEATAC, WA. 98188  
 MON. JULY 2, 2018

DEAR MS. LEAH COLLEY,

ON THIS DAY I CAME TO YOUR OFFICE TO ADDRESS AN ONGOING PROBLEM WHICH HAS BEEN GOING ON SINCE MR JORDON KEATING WAS THE MANAGER AND HAS BEEN GOING ON UP TO THIS DAY WHICH HAS CAUSED ME TO HAVE A LAWSUIT AGAINST MR. KEATING AND EVERY MANE WORKER WHO HAS WORKED IN YOUR ~~FROM~~ OFFICE FROM ~~FEBRUARY 2017 TO MAY 2018~~ FEBRUARY 2017 TO MAY 2018 AND SO THIS CASE IS STILL PENDING IN COURT.

IT IS ALL BECAUSE OF HEAVY METAL FUME OF WHICH I SPOKE WITH OFFICE AND NOTHING WAS DONE ABOUT IT AND IT CAME TO A POINT I HAD TO TAKE THEM TO CIVIL COURT, BECAUSE AFTER A LONG TIME THEY WERE SILENT TO MY CRIES AND PLEADINGS, I HAD NO CHOISE BUT TO TAKE AN ACTION. MR KEATING HAS LEFT BUT YOU ARE NOW IN CHARGE AND UNDER YOUR SUPERVISION AND CARE THIS HEAVY METAL FUMES PUMPING IS STILL GOING, I STOP BY TO SPEAK ABOUT IT WITH YOU BUT AS WHAT MR KEATING DID SO IS WHAT YOUR ARE DOING, YOU TOLD ME TO CONTACT MY ATTORNEY, I'M MY OWN ATTORNEY. SINCE YOU ARE NOW IN CHARGE THIS PROBLEM NOW IS NOT MR KEATING'S PROBLEM OR UNDER HIS COURT CASE. THIS IS WHY THIS TIME EVERYTHING IS HAPPENING UNDER YOUR SUPERVISION AND CARE, SO THIS TIME I WOULD LIKE YOU TO LISTEN TO ME AND DO EVERYTHING TO RECTIFY THE PROBLEM.

NOW, THIS IS WHAT I WOULD LIKE YOU TO DO, IS TO GET YOUR BOSS'S ATTENTION EVERYTHING HE HAS TO DO TO RECTIFY THE PROBLEM, TALK TO THE OWNER OF THE BUILDING TOO, TO SEND THE RIGHT AUTHORITIES WHO

(2) LOOK FOR FUMES RESIDUES IN BUILDINGS TO  
COME IN AND CHECK THESE TWO ROOM APARTMENTS,  
SO THE FIFTH FLOOR APARTMENT 566 AND ON THE  
FOURTH FLOOR MY APARTMENT 466.

IN APARTMENT 566 ON THE 5TH FLOOR BECAUSE  
I SUSPECT THAT'S WHERE THE FUMES IS COMING FROM  
BEING PUMPED INTO MY APARTMENT 466 SO AS TO  
FIND OUT WHAT IS GOING ON.

NO DECEPTION BECAUSE I CUT ALL MY HAIR OFF  
IN JANUARY 2018 AND NOW MY HAIR IS GROWING BACK  
AGAIN SO IF ANYONE DECEIVES ME THEN LET ME  
MAKE IT CLEAR I WILL DO ANY HAIR TEST AGAIN AND  
IF ANY HEAVY METAL IS FOUND IN IT AGAIN THIS  
TIME I WILL TAKE A CRIMINAL AGAINST EVERYBODY  
FOR CRIMINAL MISCHIEF AND ATTEMPTED MURDER,  
BECAUSE SUCH POISON CAN CAUSE INJURY, CANCER  
DAMAGE OF HUMAN CELLS, INFERTILITY AND DEATH.

I WON'T SIT BACK AND ALLOW ANYBODY TO  
MURK OR KILL OR CAUSE MY DEATH.

I'M MAKING A COPY OF THIS LETTER FOR MY  
FUTURE RECORD AGAINST THIS SECOND CASE UNDER  
YOUR SUPERVISION.

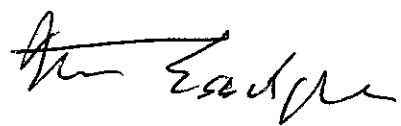
Now, I'M WARNING YOU TO NOT FOLLOW THE  
PENICIOUS WAYS OF MR KEATING OR BE A ACCOMPLICE  
OF MURDEROUS SCHEMES. SOME DAY IF HE SEES  
YOU HOMELESS HE WILL NOT TAKE CARE OF YOU OR YOUR  
FAMILY SO DO NOT LET THEM MAKE YOU LOSE YOUR  
JOB. BECAUSE HE IS ORIGINAL AMERICAN AND YOU ARE THE  
SAME DOESN'T MEAN YOU HAVE TO TAKE YOUR INSTRUCTIONS FROM  
HIM. HE DOESN'T FEED YOUR FAMILY. PUT FRIENDSHIP  
ASIDE WHEN IT COMES TO YOUR JOB OR CONCERNS ABOUT  
YOUR JOB. I'M ALSO AMERICAN BY NATURALIZATION  
ALTHOUGH I DON'T HAVE THE SAME RIGHTS OR FOOTINGS  
LIKE ~~AN~~ ORIGINAL AMERICAN

③

SO, NOW LISTEN TO ME AND DO AS I HAVE SAID.  
CONTACT THE LANDLORD OR THE OWNER  
OF THE BUILDING AND TELL HIM OR HER I SAID  
HE OR SHE SHOULD DO HIS OR HER WORK TO  
KEEP ME SAFE IN THE BUILDING OR  
RESERVE AT SEATAC OR FACE THE ~~CONSEQUENCES~~  
CONSEQUENCES AGAIN.

Now, ENCLOSING YOU WILL FIND PAGE 8  
OF LANDLORD/TENANT LAW, PLEASE READ WHERE  
I HAVE CIRCLED. THANK YOU.

SINCERELY,

  
JOSEPH ESSILFIE,

LEAH COLLEY  
BUSINESS MANAGER  
19707 INTERNATIONAL BLVD  
SEATTLE, WA. 98188

N.B.

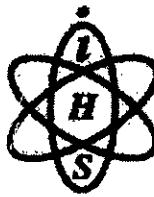
PLEASE, I WANT ALL THE INSTRUCTION GIVEN IN THIS  
LETTER DONE IN JUST ONE (1) WEEK, AFTER ONE (1) WEEK IF  
NOTHING HAS BEEN DONE THEN I MAY TAKE AN ACTION, COURT ACTION,  
AGAINST YOU BECAUSE YOU ARE NOW IN CHARGE AND ITS HAPPENING  
AT YOUR WATCH SO I WILL HOLD YOU ALSO RESPONSIBLE SO TAKE WARNING  
I WARNED MR KEATING SEVERAL TIMES HE DIDN'T LISTEN AND NOW  
HE HAS GOTTEN HIMSELF INTO TROUBLE. IF YOU DON'T TAKE WARNING TOO  
YOU ALSO WILL GET YOURSELF INTO TROUBLE. DON'T LISTEN TO ANYBODY TO  
FOLLOW THEIR INSTRUCTION. PUT YOUR FAMILY FIRST, TELL MR KEATING  
NOT TO COME HERE IN THIS BUILDING ANY MORE BECAUSE YOU DON'T WANT HIM TO  
PUT YOU INTO TROUBLE, BE SERIOUS ABOUT IT IF NEED BE CHANGE THE LUCK

Doc.

TOXICOLOGIST

APPENDIX

F



## Integrative Health Systems®, LLC

"ONE CELL ONE LIGHT."

The Carlson Company

Forensic Analysis

10343 Federal Blvd., Suite J-401

Westminster, Colorado 80260

Phone: 866-889-3410 or 719-531-6666

© April 9, 2019

RE: The Carlson Company's Client's Specimen, Hair Analysis Results

Test Category: Complete Heavy Metals Test

Client's Name: Joseph Essilfie

Acc #: YR 2017 (Oct) 17298013 and YR 2018 (Aug) 182420084

SUBJECT: Comparative Analysis Results and Classical Toxicological Symptamatology  
Based on Acute vs. Chronic Exposure.

TO WHOM IT MAY CONCERN:

This letter is to confirm the results evaluated for Mr. Joseph Essilfie on April 9, 2019 to be true and accurate analysis findings per receipt directly from the laboratory that performed the testing, The Carlson Company, Inc., Westminster, Colorado as originally collected on October 17, 2017 and August 23, 2018.

Please note that during Mr. Joseph Essilfie's schedule consultation on April 9, 2019 with Carlson Company's technical support Forensic/Environmental/Industrial Toxicologist, he stated that current tests and other diagnostic testing/examination is being performed this week through his physician's at Loma Linda University and Medical Center in Loma Linda, California. The Hospital stated to him that after he had his medical evaluation and testing they will refer him to Oncologist, Infectious Disease, Toxicologist and Occupational Physician (in-house to the hospital staff).

Mr. Joseph Essilfie, further stated that during his initial exposures in February/March YR 2017 when he was evaluated for mental crisis management, the staff physicians Dr. Sorb and Dr. Green confirmed to him that Mr. Essilfie's statements of exposure collaborated with their assessment to be true. The only medication he was on during this time was for 5 days and it was Restralyn®. He did not remember dosage amount. Furthermore, he did not have any surgical procedures and/or contrast dyes. He did smell a "chemical vapor" in his apartment, which resulted in nasal drip and sinuses swelling or becoming congested as well as irritation to his respiratory system.

During the time from his initial hair testing 2017 through 2018 with 2019 pending results from Loma Linda Hospital the following, which may be part of his systemic toxicological

effects to his various organ systems as related to the toxic metal parameters that were originally identified through the Carlson Company's specimen analysis:

- Anemia, Chest Pain (heart area), internal bleeding (old blood "black slimy stools" for 12 days).
- COPD, Emphysema, sarcoidosis and/or Pre-Cancer symptoms (etiology of these diseases and their diagnosis is being evaluated by Loma Linda Hospital, April 2019).
- Previous testing per Mr. Joseph Essilifie on April 9, 2019, he stated the test was negative for AIDS/HIV.

Mr. Joseph Essilifie's hair, toxic metal analysis results that were specifically identified to be "high (H)" are identified below. The client is having blood and urine tests performed by Loma Linda Hospital for these same parameters as of this week April 2019 before his return to his home in Seattle, Washington. Note: Mr. Joseph Essilifie is on medical disability since the mid 2000's (or around 2005). His symptoms did not occur until February/March 2017 to present date (April 9, 2019). His previous position (work/employment) was as a Security Guard for ABC Channel in New York. Front desk building security as well as another security company for over 10 years.

<u>Parameter, Metal, ug/kg</u>	<u>YR 2017 (Oct)</u>	<u>Reference, ug/kg</u>	<u>YR 2018</u>
Lithium	217 H	42 ug/kg	<0.01
Beryllium	<0.01	12	166 H
Arsenic	117 H	80	<0.01
Tin	473 H	340	383 H
Antimony	157 H	130	84
Platinum	<0.01	0.8	10
Mercury	575	1600 ug/kg	144
Thorium	2.7	5	<0.01
Uranium	0.71	30	7.0
Aluminum	5884	8000	12,022 H
Chromium	453	520	797 H
Nickel	160	900	<0.01
Barium	551	1580	656

The analytical results as compared to the highest known reference value for that specific toxic metal parameter are identified in the values center column. The values for YR 2017 and YR 2018 were the direct opposite in values, examples being beryllium, arsenic and nickel. Some of the metals with stronger valance charges were "high" but staying constant over the two years tested. A correlation to Mr. Joseph Essilifie's original symptoms vs. his chronic current symptomatology that is being addressed through hospital evaluations this week are quite specific and do relate to specific metals identified as stated below.

- Bloody Stools: Antimony, Arsenic, Coumarins, and Indandiones.
- Conjunctivitis: aluminum, arsenic, beryllium, chromium, copper.

- Constipation: Arsenic, Inorganic Lead, nickel carbonyl, and thallium.
- Respiratory: (cough) arsenic, beryllium, chromium, cobalt, nickel carbonyl, platinum, Vanadium and zinc oxide.  
(distress): platinum (failure) antimony (pain) arsenic, cadmium, vanadium  
(tightness) calcium cyanamide, nickel carbonyl  
(cancer): arsenic, chromium, nickel, uranium, and metal carbonyls
- Cyanosis: Nickel carbonyl
- Male Reproductive: (testicular) cadmium, arsenic

The metal beryllium as a metal and/or oxide/salt will carry other compounds deep into the organs and eventually to the bone of an individual. Mr. Joseph Essifie's value was very high and was originally <0.01 ug/kg value. Another odd relationship of values was arsenic and antimony.

The symptomatology that Mr. Joseph Essifie has stated to be true and accurate on the day of his consultation, April 9, 2019 is why he is being evaluated at Loma Linda Hospital and Medical Center, Loma Linda California. The test his physician team will be conducting and their results are still pending as of this date and time.

The symptoms expressed by Mr. Joseph Essifie and the metal parameters found to be extremely high in value to correlate to systemic target organ toxicity as stated in classical toxicology literature as well as more recent current studies.

It is recommended that Mr. Joseph Essifie discuss all of his test results and findings with his local physician and seek appropriate medical care and treatment for his current health situation. It should be discussed with his treating physician that even one metal will reduce the amount of oxygen in the body, but having 13 metal parameters in the sample results being extremely high in value is quite profound. Due to these metals creating high porphyrin levels over time and generating carboxyhemoglobin within the tissue, it is advised to have these parameters monitored periodically by his treating physician.

Attached to this letter are true and accurate copies of the test results as performed by The Carlson Company, LLC with the dates of testing clearly stated on each analytical result document.

If you should have any further questions or concerns, please do not hesitate to contact Integrative Health Systems®, LLC at phone: 323-466-2599 or fax: 323-466-2774.

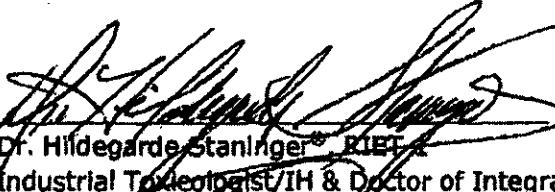
**DISCLAIMER:** The information contained in this report is based on specific computational analysis, regulatory affairs review, OSHA General Industry Standards and EPA/Forensic Guidelines as well as any FCC license searches and IEIA H-SCADA Methodology as applied to good laboratory practices for forensic scientific (industrial toxicology) and engineering investigations. This document does not constitute legal or clinical professional/commercial advice and does not purport to be a complete document. No conclusions maybe or should not be drawn from this information that was observed or contained in this document without further investigation and technical support. All information presented in this document is

provided as is without representation or warranty of any kind as well as no guarantees, undertakings or warranties in any regard. For any medical condition or concern, it is strongly recommended to consult your physician and/or health care provider.

**INTEGRATIVE HEALTH SYSTEMS®, LLC**

**Signature:**

**Date:**

  
Dr. Hildegard Staninger, RIET-1  
Industrial Toxicologist/IH & Doctor of Integrative Medicine  
IEIA H-SCADA BioEnergy Field Professional Cert. No.: 20150911005  
NREP Certified Environmental and Safety Compliance Officer  
Cert. No.: 7774709608161213  
IEIA Registered & Certified Industrial Environmental Toxicologist  
Cert. No.: RIET-1/CIET-1

**REFERENCE:**

- 1) Podski, Cheryl. Conservator, AIC-PA, Health and Safety Committee, November 2008  
Chart of Heavy Metals, Their Salts and Other Compounds. (Museums)
- 2) Haschek, Wanda M. and Colin G. Rousseaux. Handbook of Toxicologic Pathology. Academic Press, Inc. Harcourt Brace Jovanovich, Publishers. New York, New York. © 1991.
- 3) Klaassen, Curtis D., Casarett & Doull's Toxicology: The Basic Science of Poisons, 5<sup>th</sup> Edition. McGraw-Hill Health Professions Division. New York, New York © 1996.
- 4) Sullivan, Jr, John B. and Gary R. Krieger. Hazardous Materials Toxicology: Clinical Principles of Environmental Health. Williams and Wilkins, Baltimore, Maryland © 1992
- 5) Sacarello, Hildegard. The Comprehensive Handbook of Hazardous Materials: Regulations, Monitoring, Handling and Safety. Lewis Publishers/CRC Press. Boca Raton, FL © 1992 (International Environmental Best Seller)

EXHIBIT

FORGERY

APPENDIX

G

The Honorable Susan Amini

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

JOSEPH ESSILFIE,

Plaintiff,

vs.

JORDAN KEATING, LEAH COLLEY, JOSH/ONE  
OTHER MALE WORKER, RESERVE AT SEATAC  
PARTNERS, L.L.P., PLYMOUTH HOUSING  
GROUP, INDIGO REAL ESTATE,

Defendants.

NO. 18-2-54619-2 SEA

NOTICE FOR HEARING  
SEATTLE COURTHOUSE ONLY  
(Clerk's Action Required) (NTHG)

TO: THE CLERK OF THE COURT and to all other parties per list on Page 2:  
PLEASE TAKE NOTICE that an issue of law in this case will be heard on the date below and the Clerk is directed to note this issue on the calendar checked below.

Calendar Date: March 8, 2019 Day of Week: Friday

Nature of Motion: The Reserve at Seatac's Motion for Summary Judgment

**CASES ASSIGNED TO INDIVIDUAL JUDGES – SEATTLE**

If oral argument on the motion is allowed (LCR 7(b)(2)), contact staff of assigned judge to schedule date and time before filing this notice. **Working Papers:** The judge's name, date and time of hearing must be noted in the upper right corner of the Judge's copy. **Deliver Judge's copies to Judges' Mailroom at C203**

Without oral argument (Mon - Fri)  With oral argument Hearing Date/Time: March 8, 2019 at 11:00 a.m.

Judge's Name: Susan Amini Trial Date: 11/12/2019

**CHIEF CRIMINAL DEPARTMENT – SEATTLE (E1201)**

Bond Forfeiture 3:15 pm, 2<sup>nd</sup> Thursday of each month  
 Certificates of Rehabilitation- Weapon Possession (Convictions from Limited Jurisdiction Courts)  
3:30 First Tues of each month

**CHIEF CIVIL DEPARTMENT – SEATTLE (Please report to W864 for assignment)**

**Deliver working copies to Judges' Mailroom, Room C203.** In upper right corner of papers write "Chief Civil Department" or judge's name and date of hearing

Extraordinary Writs (Show Cause Hearing) (LCR 98.40) 1:30 p.m. Tues/Wed -report to Room W864  
 Supplemental Proceedings (1:30 pm Tues/Wed)(LCR 69)  
 Motions to Consolidate with multiple judges assigned (LCR 40(b)(4) (without oral argument) M-F  
 Structured Settlements (1:30 pm Tues/Wed)(LCR 40(2)(S))

**Non-Assigned Cases:**

Non-Dispositive Motions M-F (without oral argument).  
 Dispositive Motions and Revisions (1:30 pm Tues/Wed).  
 Certificates of Rehabilitation (Employment) 1:30 pm Tues/Wed (LR 40(b)(2)(B))

You may list an address that is not your residential address where you agree to accept legal documents.  
Sign: /s S. Karen Bamberger Print/Type Name: S. Karen Bamberger

NOTICE FOR HEARING - SEATTLE COURTHOUSE ONLY  
ICSEA10/12/11

Page 1

[www.kingcounty.gov/courts/scforms](http://www.kingcounty.gov/courts/scforms)  
1345420.docx/121918 1335/0425-1776

WSBA # 18478 (if attorney) Attorney for: Defendant Reserve at Seatac  
Address: Betts Patterson & Mines, 701 Pike St. Suite 1400, City, State, Zip Seattle, WA 98101-3927  
Telephone: (206) 292-9988 Date: 12/19/18

**DO NOT USE THIS FORM FOR FAMILY LAW OR EX PARTE MOTIONS.**

LIST NAMES AND SERVICE ADDRESSES FOR ALL NECESSARY PARTIES REQUIRING NOTICE

*Counsel for Plaintiff Joseph Essilfie, Pro Se*  
Joseph Essilfie  
19707 International Blvd Apt #466  
SeaTac, WA 98188

#### **IMPORTANT NOTICE REGARDING CASES**

Party requesting hearing must file motion & affidavits separately along with this notice. List the names, addresses and telephone numbers of all parties requiring notice (including GAL) on this page. Serve a copy of this notice, with motion documents, on all parties.

The original must be filed at the Clerk's Office not less than **six** court days prior to requested hearing date, except for Summary Judgment Motions (to be filed with Clerk 28 days in advance).

THIS IS ONLY A PARTIAL SUMMARY OF THE LOCAL RULES AND ALL PARTIES ARE ADVISED TO CONSULT WITH AN ATTORNEY.

The SEATTLE COURTHOUSE is in Seattle, Washington at 516 Third Avenue. The Clerk's Office is on the sixth floor, room E609. The Judges' Mailroom is Room C203.

# APPENDIX

H

# THE SUPREME COURT

STATE OF WASHINGTON



SUSAN L. CARLSON  
SUPREME COURT CLERK

ERIN L. LENNON  
DEPUTY CLERK/  
CHIEF STAFF ATTORNEY

TEMPLE OF JUSTICE  
P.O. BOX 40929  
OLYMPIA, WA 98504-0929

(360) 357-2077  
e-mail: supreme@courts.wa.gov  
www.courts.wa.gov

February 3, 2021

## LETTER SENT BY EMAIL

Joseph Essilfie (sent by U.S. mail only)  
19707 International Boulevard, Apt. 466  
Seatac, WA 98188

Sylvia Karen Bamberger  
Betts Patterson & Mines PS  
701 Pike Street, Suite 1400  
Seattle, WA 98101-3927

Barry Gene Ziker  
Matthew J. Stock  
Joyce Ziker Parkinson, PLLC  
1601 5th Avenue, Suite 2040  
Seattle, WA 98101-1627

Glenn Jay Amster  
Kantor Taylor PC  
1200 5th Avenue, Suite 1910  
Seattle, WA 98101-3135

Re: Supreme Court No. 99096-4 - Joseph Essilfie v. Jordan Keating, et al.  
Court of Appeals No. 80026-4-I

Counsel and Mr. Essilfie:

Enclosed is a copy of the Order entered following consideration of the above matter on the Court's February 2, 2021, Motion Calendar.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan L. Carlson".

Susan L. Carlson  
Supreme Court Clerk

SLC:ejn

Enclosure as referenced

FILED  
SUPREME COURT  
STATE OF WASHINGTON  
2/3/2021  
BY SUSAN L. CARLSON  
CLERK

# THE SUPREME COURT OF WASHINGTON

JOSEPH ESSILFIE,	)	No. 99096-4
	)	
Petitioner,	)	<b>O R D E R</b>
	)	
v.	)	Court of Appeals
	)	No. 80026-4-I
JORDAN KEATING, et al.,	)	
	)	
Respondents.	)	
	)	
	)	

---

Department I of the Court, composed of Chief Justice González and Justices Johnson, Owens, Gordon McCloud, and Montoya-Lewis, considered at its February 2, 2021, Motion Calendar whether review should be granted pursuant to RAP 13.4(b) and unanimously agreed that the following order be entered.

**IT IS ORDERED:**

That the petition for review is denied.

DATED at Olympia, Washington, this 3<sup>rd</sup> day of February, 2021.

For the Court

González, C.J.  
CHIEF JUSTICE

SUSAN L. CARLSON  
SUPREME COURT CLERK

ERIN L. LENNON  
DEPUTY CLERK/  
CHIEF STAFF ATTORNEY

THE SUPREME COURT  
STATE OF WASHINGTON



TEMPLE OF JUSTICE  
P.O. BOX 40929  
OLYMPIA, WA 98504-0929

(360) 357-2077  
e-mail: supreme@courts.wa.gov  
www.courts.wa.gov

February 9, 2021

LETTER SENT BY E-MAIL

Joseph Essilfie (sent by U. S. mail only)  
19707 International Blvd, Apt 466  
Seatac, WA 98188

Barry Gene Ziker  
Matthew J. Stock  
Joyce Ziker Parkinson, PLLC  
1601 5th Avenue, Suite 2040  
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Glenn Jay Amster  
Kantor Taylor PC  
1200 5th Avenue, Suite 1910  
Seattle, WA 98101-3135

Re: Supreme Court No. 99096-4 - Joseph Essilfie v. Jordan Keating, et al.  
Court of Appeals No. 80026-4-I

Counsel and Mr. Essilfie:

On February 8, 2021, the Court received a voicemail from Mr. Essilfie asking the Court to re-open his case, explaining that he had recently experienced a medical situation.

Mr. Essilfie is advised that there are no provisions for re-opening a case when the Supreme Court has denied a petition for review. I also note that Mr. Essilfie had no filings due or permitted after the petition for review that he filed on October 6, 2020.

This case is now final and closed at the Supreme Court.

Sincerely,

A handwritten signature in black ink, appearing to read "E. L. Lennon".

Erin L. Lennon  
Supreme Court Deputy Clerk

ELL:ejn