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WHATCOM COUNTY
WASHINGTON

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

MJ MANAGEMENT LLC,)
) NO: 26-2-00713-37
Plaintiff,)
) ORDER ON RECONSIDERATION
v.)
)
MARK MIEDEMA,)
)
Defendant.)

This matter is related to the case of MJ Management v. Scott Hillius (26-2-00712-37). MJ Management is represented by the same attorney in both cases, and the Defendants are both represented by the same attorney. Both cases were scheduled for Plaintiff's Motion for Summary Judgment on August 21, 2026. In Hillius, the Defendant also brought a Motion to Dismiss under CR 12 (b)(6), which was converted to a summary judgment motion. In that motion Defendant Hillius challenged the assignment of Declarant Rights from 18 Paradise to MJ Management because that assignment was not in writing, citing RCW 4.08.080. That motion was also set for August 21, 2026. Defendant Miedema did not bring a Motion to Dismiss.

On August 21, 2026, the Court continued both matters (Hillius and Miedema) to see if Plaintiff could present evidence that there was an acknowledgment of the assignment that would

1 avoid the writing requirement of RCW 4.08.080 and Unifund CCR Partners v. Sunde, 163
3 Wash.App. 473 (2011). The Court continued the Miedema case, despite the lack of a motion to
5 dismiss on this basis, because the Court recognized that if Plaintiff was not able to establish the
7 validity of the verbal assignment in Hillius, it would be fatal for Plaintiff in both cases. The
9 Court indicated that Defendant Miedema need not file a motion to dismiss, but that the Court
11 would consider dismissing both cases if Plaintiff could not gather the evidence necessary.

13 Prior to the hearing on October 16, 2026, Plaintiff did obtain the Declaration of Sung
15 Han, which it filed in the Hillius case (the only case with a pending motion to dismiss). On
17 October 16, 2026, the Court found that the declaration satisfied the acknowledgment requirement
19 of RCW 4.08.080 and Sunde, and denied Defendant Hillius's Motion to Dismiss. No further
21 action was or needed to be taken on Defendant Miedema's case, as there was no motion to
23 dismiss pending (and if there had been, it likely would have been denied for the same reasons the
25 Court denied Defendant Hillius's motion to dismiss on that day.)

27 Both Defendant Hillius and Defendant Miedema have now filed identical Motions to
29 Reconsider the Court's ruling of October 16, 2026. The Court has denied Defendant Hillius's
31 Motion to Reconsider on the merits. The Court denies Defendant Miedema's Motion to
33 Reconsider as there was no decision made on this issue in his case and therefor nothing to
35 reconsider. The motion is denied per WCCR 59 without Reply or oral argument.

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39 DATED this 24th day of October, 2026.

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47 JUDGE LEE GROCHMAL
49 WHATCOM COUNTY SUPERIOR COURT