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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 TCF INVENTORY FINANCE, INC.,

11 Plaintiff,

No. 2:17-cv-124-RAJ

12 v.

~~[PROPOSED]~~ ORDER TO APPEAR  
AND SHOW CAUSE WHY PLAINTIFF  
SHOULD NOT BE GRANTED  
IMMEDIATE POSSESSION OF  
COLLATERAL

13 SEATTLE HOME APPLIANCE, LLC,  
THOMAS HENRY BEARDSLEE and  
SHELLY MAE GILLOTT BEARDSLEE,

14 Defendants.

15 To: Seattle Home Appliance, LLC  
16 c/o Registered Agent: Tom Beardslee  
17 5049 S. Tacoma Way  
Tacoma, Washington 98409

18 THIS MATTER came before the Court on Plaintiff's Ex Parte Motion for Order to  
19 Appear and Show Cause Why Plaintiff Should Not Be Granted Immediate Possession of  
20 Collateral (the "Motion"). Dkt. # 3. The Court **GRANTS** this motion.

21 The Court reviewed the pleadings filed herein, including the Motion, the Complaint for  
22 Breach of Contract, Breach of Guaranty and Replevin (the "Complaint"), and the Declaration of  
23 Kristi Tarlin in support of Plaintiff's Motion for Order Granting Plaintiff Immediate Possession  
24 of Collateral (the "Tarlin Declaration").

25 Having been fully advised, the Court finds and concludes that Plaintiff alleged in the  
26 Complaint a claim against defendant Seattle Home Appliances, LLC for replevin under Chapter

~~[PROPOSED]~~ ORDER TO APPEAR AND SHOW CAUSE WHY  
PLAINTIFF SHOULD NOT BE GRANTED IMMEDIATE  
POSSESSION OF COLLATERAL - 1  
Case No. 2:17-cv-124

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1 7.64 RCW, Plaintiff is entitled under RCW 7.64.010 to claim and obtain immediate delivery of  
2 the Subject Collateral after a hearing, Plaintiff is entitled under RCW 7.64.020 to apply to this  
3 Court for an order directing Seattle Home Appliances, LLC to appear and show cause why an  
4 order putting Plaintiff in immediate possession of the Subject Collateral should not be issued,  
5 and the Tarlin Declaration satisfies the requirements of RCW 7.64.020(2). Now, therefore,

6 **IT IS HEREBY ORDERED** that:

7 A hearing will be held on Plaintiff's Motion for Order Granting Immediate Possession of  
8 Collateral on **Friday, February 24, 2017 at 10:00 a.m.** before the Honorable Richard A. Jones  
9 in the United States District Court for the Western District of Washington, 700 Stewart Street,  
10 Courtroom 13A, Seattle, Washington 98101. Seattle Home Appliance, LLC must appear at the  
11 hearing and show cause why this Court should not enter an order granting Plaintiff immediate  
12 possession of the Subject Collateral as described in the Complaint, Motion and Tarlin  
13 Declaration.

14 UPON THE FAILURE OF DEFENDANTS TO APPEAR and show cause on the date  
15 and time specified by this Order, the Court will grant the relief requested by Plaintiff in its  
16 Motion for Order Granting Plaintiff Immediate Possession of Collateral. If an order awarding  
17 possession to Plaintiff pursuant to RCW 7.64.035(1) is issued, failure to turn over possession of  
18 the Subject Collateral to the United States Marshal may subject Seattle Home Appliances, LLC  
19 to being held in contempt of court.

20 Plaintiff must serve a certified copy of this Order along with Plaintiff's underlying brief  
21 and declaration on Defendants **no later than five (5) days before the hearing.** RCW  
22 7.64.020(4).

23 DATED this 10th day of February, 2017.

24   
25 The Honorable Richard A. Jones  
26 United States District Judge