

THE COURT OF APPEALS OF THE STATE OF WASHINGTON  
DIVISION ONE

BANK OF NEW YORK MELLON F/K/A )  
 THE BANK OF NEW YORK, AS )  
 TRUSTEE FOR THE )  
 CERTIFICATEHOLDERS OF CWABS, )  
 INC., ASSET BACKED CERTIFICATES, )  
 SERIES 2004-ABI, by and through BANK )  
 OF AMERICA, N.A., Attorney-in-Fact, )  
 )  
 Appellant, )  
 )  
 v. )  
 )  
 THE CONDO GROUP LLC, a )  
 Washington Limited Liability Company, )  
 )  
 Respondent. )

No. 70615-2-1

DIVISION ONE

UNPUBLISHED OPINION

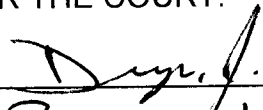
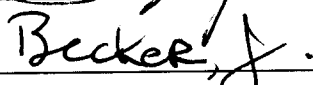
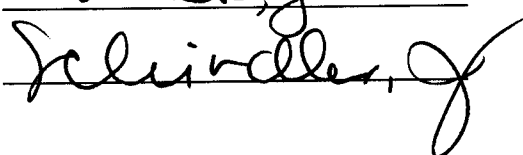
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 COURT OF APPEALS DIV. 1  
 STATE OF WASHINGTON  
 2014 NOV -3 AM 9:02

FILED: NOV 3 - 2014

PER CURIAM – This appeal was stayed pending the Washington State Supreme Court’s decision in BAC Home Loans Servicing, LP v. Fulbright, 180 Wn.2d 754, 328 P.3d 895 (2014). Following the Fulbright decision, the parties filed a “Stipulated Motion on the Merits to Reverse Trial Court Judgment and Mandate to Superior Court.” Because this court does not use the motion on the merits procedure, see General Order on the Motions on the Merits, adopted August 18, 2014, we will treat the stipulated motion as a concession of error. We lift the stay, accept the concession, and reverse and remand for further proceedings.

Reversed and remanded for further proceedings.

FOR THE COURT:

  
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