

HB 1142 - DIGEST

(AS OF HOUSE 2ND READING 1/23/2008)

Provides that, for purposes of awarding costs, including a statutory attorneys' fee, and except as provided in RCW 4.84.110 and 4.84.120, the plaintiff shall be considered the prevailing party if, after commencement of the action, the defendant tenders and the plaintiff accepts full or partial payment of the amounts sued for, and if before such tender and acceptance the plaintiff has in writing notified the defendant that full or partial payment of the amounts sued for may nevertheless result in an award of costs. In such case the plaintiff is entitled to its costs, and the court shall, upon the plaintiff's application, enter judgment for the plaintiff for costs, except such costs as are paid before entry of judgment.

Declares that nothing prevents a party from demanding, offering, or accepting payment of statutory costs, or from reducing or waiving statutory costs, before the entry of judgment in an action.