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HOUSE BILL 1638

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State of Washington                      52nd Legislature                      1991 Regular Session

By Representatives Inslee, Winsley, Grant, R. Meyers, Padden, Dellwo, Wang and Orr.

Read first time February 5, 1991. Referred to Committee on Judiciary.

1            AN ACT Relating to partial summary judgments; and adding a new  
2 section to chapter 4.56 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            NEW SECTION.    **Sec. 1.** A new section is added to chapter 4.56 RCW  
5 to read as follows:

6            (1) The superior court shall have authority to issue partial  
7 summary judgment in a civil action for damages. The court may enter  
8 partial summary judgment and award damages to the plaintiff that the  
9 plaintiff has incurred if no material issues of fact exist regarding  
10 any of the following: (a) The causation of those damages, (b) the  
11 liability of the defendant or defendants to pay those damages, and (c)  
12 the amount of those damages.

13            (2) If the court has entered partial summary judgment and has  
14 awarded damages to the plaintiff which the defendant has paid to the  
15 plaintiff prior to trial, at trial the court may inform the jury that

1 the defendant has paid those damages previously awarded to the  
2 plaintiff.