

SUMMARY STATEMENT

Watkins v. Watkins, Docket. No. 44036

This case addresses the actions necessary to accelerate a debt under a real estate installment contract governed by Washington law. The Court held that the filing of a complaint can accelerate a debt and provide adequate notice, but that the complaint in this case was too vague to do so. The judgment of the district court was vacated and the case was remanded.

The case also involved a breach of contract claim related to compensation for past employment services. One of the defenses raised was that absent an understanding at the time services were rendered that compensation would be paid later, a subsequent promise to pay lacks consideration. The Court held that there was substantial and competent evidence to support the district court's finding that there was no promise to pay for the services later, and therefore, the compensation agreement at issue lacked consideration. The Court also held that the district court did not abuse its discretion in refusing to apply the doctrine of judicial estoppel to preclude the alleged breaching party from disputing liability for the compensation agreement.