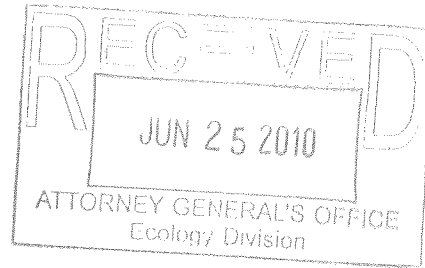


FILED

2010 JUN 22 PM 3:46

RECEIVED
EX OFFICIO CLERK
SUPERIOR COURT
YAKIMA WASHINGTON



STATE OF WASHINGTON
YAKIMA COUNTY SUPERIOR COURT

STATE OF WASHINGTON,
DEPARTMENT OF ECOLOGY,

Plaintiff,

v.

CITY OF YAKIMA, COUNTY OF
YAKIMA,

Defendants.

NO. 08-2-04863-1


STIPULATION AND ORDER OF
DISMISSAL


IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff State of Washington Department of Ecology, acting by and through Robert M. McKenna, Attorney General, and John A. Level, Assistant Attorney General, the Defendant City of Yakima, being represented by Lawrence Watters, and the Defendant Yakima County, being represented by Terry Austin, that the above-entitled action may be dismissed against Defendants City of Yakima and Yakima County without costs.

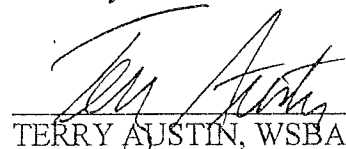
THE PARTIES FURTHER STIPULATE AND AGREE that dismissal of the Court's jurisdiction over the Defendants City of Yakima and Yakima County shall not alter the binding effect of any and all continuing rights and duties of the parties under the Consent Decrees,

1 including but not limited to the provisions of Sections XII (Retention of Records) and XIX
2 (Indemnification) of the Consent Decree filed under 97-2-01092-5 and 08-2-04863-1.

3 DATED this 22nd day of June, 2010.

4
5 
6 JOHN A. LEVEL, WSBA #20439
7 Assistant Attorney General
8 Attorney for Plaintiff

9 
10 LAWRENCE WATTERS, WSBA # 7454
11 Attorney for Defendant City of Yakima

12 
13 TERRY AUSTIN, WSBA # 6708
14 Attorney for Defendant Yakima County

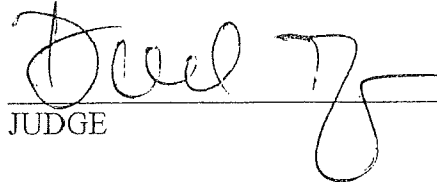
15 **ORDER**

16 THIS MATTER having come before the undersigned judge of the above-entitled Court,
17 based on the foregoing stipulation, now, therefore,

18 IT IS HEREBY ORDERED That Defendants City of Yakima and Yakima County shall
19 be dismissed from the above-entitled action without costs or interest to any party.

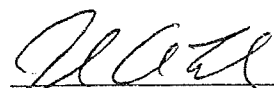
20
21 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that dismissal of the
22 Court's jurisdiction over the Defendants City of Yakima and Yakima County shall not alter the
23 binding effect of any and all continuing rights and duties of the parties under the Consent
24 Decree, including but not limited to the provisions of Sections XI (Retention of Records) and
25 XVII (Indemnification) of the Consent Decrees filed under 97-2-01092-5 and 08-2-04863-1.
26

1 DATED this 22nd day of June, 2010.

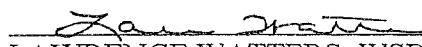
2 
3 JUDGE

4 Presented by:

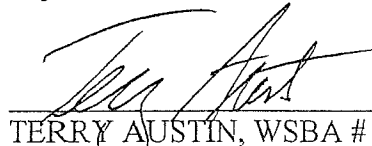
5 ROBERT M. McKENNA
6 Attorney General

7 
8 JOHN A. LEVEL, WSBA #20439
9 Assistant Attorney General
10 Attorneys for Plaintiff

11 Approved as to form and notice
12 of presentation waived:

13 
14 LAWRENCE WATTERS, WSBA # 7454
15 Attorney for Defendant City of Yakima

16 Approved as to form and notice
17 of presentation waived:

18 
19 TERRY AUSTIN, WSBA # 6708
20 Attorney for Defendant Yakima County