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STATE OF WASHINGTON
THURSTON COUNTY SUPERIOR COURT

EX PARTE

STATE OF WASHINGTON,
DEPARTMENT OF ECOLOGY,

NO. 04-2-02240-9

Plaintiff,

ORDER OF DISMISSAL [PROPOSED]

v.

DAN ALEXANDER and HARRIET
ALEXANDER, husband and wife, formerly
dba YAKIMA CHIEF RANCHES,

Defendants.

The Court, having considered the Joint Motion to Dismiss, hereby grants the motion.
The action is dismissed with prejudice and without costs to either party.

Dismissal of the Court's jurisdiction over the Consent Decree shall not alter the binding effect of any and all continuing rights and duties of the parties under the Consent Decree, including but not limited to the provisions of Sections XVIII (Covenant Not to Sue), XIX (Contribution Protection), and XII (Retention of Records).

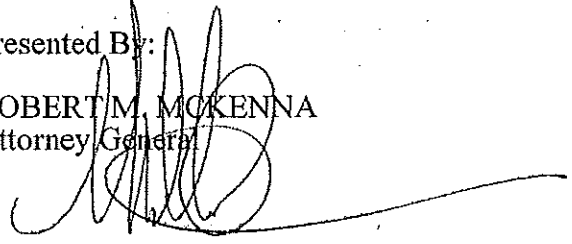
Dated this 14th day of August, 2009.

Carol Murphy
JUDGE
Thurston County Superior Court

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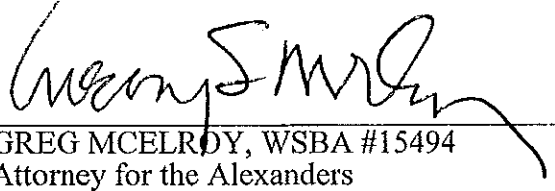
Presented By:

ROBERT M. MCKENNA
Attorney General



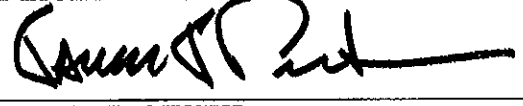
MICHAEL L. DUNNING
Assistant Attorney General
Attorneys for Plaintiff
State of Washington
Department of Ecology
(360) 586-6741

McELROY LAW FIRM, PLLC

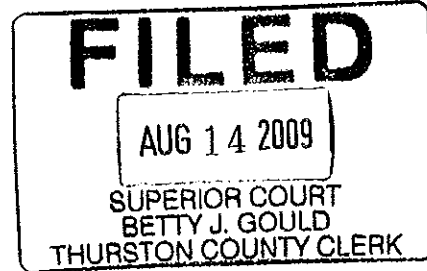


GREG MCELROY, WSBA #15494
Attorney for the Alexanders
(206) 654-4160

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY



JIM PENDOWSKI
Program Manager
Toxics Cleanup Program



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STATE OF WASHINGTON
THURSTON COUNTY SUPERIOR COURT

STATE OF WASHINGTON,
DEPARTMENT OF ECOLOGY,

NO. 04-2-02240-9

Plaintiff,

JOINT MOTION TO DISMISS

v.

RECEIVED

DAN ALEXANDER and HARRIET
ALEXANDER, husband and wife, formerly
dba YAKIMA CHIEF RANCHES,

AUG 17 2009

DEPARTMENT OF ECOLOGY - CENTRAL REGIONAL OFFICE

Defendants.

Defendants in this action have completed the requirements of the Consent Decree entered by the Court on October 29, 2004. In accordance with Section XXVIII (Duration of Decree) of the Consent Decree, on May 19, 2009, Plaintiff State of Washington, Department of Ecology (Ecology) sent written notification to Defendants stating that the requirements of this Consent Decree have been satisfactorily completed. Attached hereto is a true and correct copy of Ecology's Notice of Completion.

The parties recognize and intend that dismissal of the Court's jurisdiction over the Consent Decree shall not alter the binding effect of any and all continuing rights and duties of the parties under the Consent Decree, including but not limited to the provisions of Sections XVIII (Covenant Not to Sue), XIX (Contribution Protection), and XII (Retention of Records).

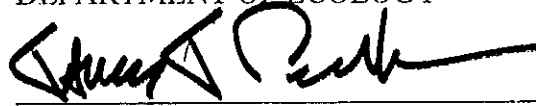
1 Therefore, the parties now move for dismissal of this action with prejudice and without
2 costs to either party.

3 DATED this 12th day of AUGUST, 2009.

4 ROBERT M. MCKENNA
5 Attorney General



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY



6
7 MICHAEL L. DUNNING
8 Assistant Attorney General
9 Attorneys for Plaintiff
10 State of Washington
11 Department of Ecology
12 (360) 586-6741

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Toxics Cleanup Program

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