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6 **STATE OF WASHINGTON  
KING COUNTY SUPERIOR COURT**

7 STATE OF WASHINGTON,  
8 DEPARTMENT OF ECOLOGY,

9 Plaintiff,

v.

10 EARLE M. JORGENSEN CO.,  
11 DENNIS F. and SHIRLEY A.  
12 BECKWITH, and NORTHWEST  
13 SLAG PRODUCTS, INC.,

Defendants.

NO. 95-2-15301-1

**JOINT MOTION TO DISMISS**

14 COMES NOW Plaintiff, the State of Washington, Department of Ecology (Ecology),  
15 by and through its attorney, Allyson C. Bazan, Assistant Attorney General, and Defendants,  
16 Earle M. Jorgensen Co. (“EMJ”), Dennis F. and Shirley A. Beckwith, and Northwest Slag  
17 Products, Inc., (“Northwest” and, together with EMJ and Dennis F. and Shirley A. Beckwith,  
18 collectively, the “Defendants”), by and through William A. Smith II, Senior Vice President and  
19 General Counsel of the parent of Defendant EMJ and authorized representative of Defendants  
20 Dennis F. and Shirley A. Beckwith and Northwest, and jointly move the Court to dismiss this  
21 action. This action involved the implementation of a Consent Decree originally entered by the  
22 Court in this matter on June 22, 1995 (Decree). The Decree governed remedial action at a site  
23 located at South 218th Street and 88th Avenue South, in Kent, Washington, (Site) pursuant to  
24 Washington State’s Model Toxics Control Act, RCW 70.105D (MTCA). Ecology has  
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1 determined that the Defendants have completed the remedial action described in the Decree,  
2 including each of the tasks set forth in Section VI (Work to Be Performed) of the Decree<sup>1</sup>.

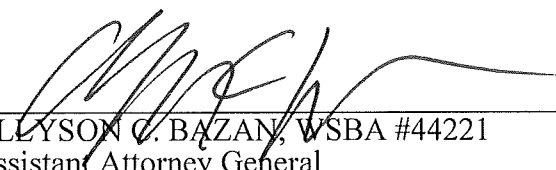
3 The remedial work having been completed, the parties therefore stipulate to dismissal  
4 of this action and seek an Order for Dismissal from the Court pursuant to Section XXVII.  
5 (Duration of Decree). The parties recognize and intend that dismissal of this action shall not  
6 alter the binding effect of any and all continuing rights and duties of the parties under the  
7 Decree, including but not limited to the provisions of Sections XII (Retention of Records),  
8 XVIII (Covenant Not to Sue Under MTCA; Reopeners), XIX (Contribution Protections) XX  
9 (Indemnification), and XXV (Public Participation).


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

12 DATED this 2<sup>ND</sup> day of FEB. 2016.

13 ROBERT W. FERGUSON  
14 Attorney General

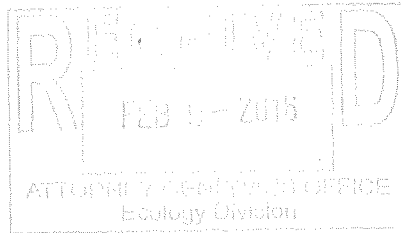
EARLE M. JORGENSEN CO.  
DENNIS F. AND SHIRLEY A. BECKWITH  
NORTHWEST SLAG PRODUCTS, INC.

15   
16 ALLEYSON C. BAZAN, WSBA #44221  
17 Assistant Attorney General  
18 Attorneys for Plaintiff  
19 State of Washington  
20 Department of Ecology  
21 (360) 586-3589  
22 allysonb@atg.wa.gov

23   
24 WILLIAM A. SMITH II, DC Bar #472435  
25 Senior Vice President, General Counsel and  
26 Corporate Secretary of Reliant Steel &  
Aluminum Co. (parent of EMJ)  
Attorney for Defendant EMJ and Authorized  
Representative of Defendants Dennis F. and  
Shirley A. Beckwith and Northwest Slag  
Products, Inc.  
(213) 687-7700  
will.smith@rsac.com

<sup>1</sup> Public documents relating to the Site and Ecology's determination that Northwest's remedial work at the Site is complete may be found online at <https://fortress.wa.gov/ecy/gsp/CleanupSiteDocuments.aspx?csid=1875> (last visited January 19, 2016).

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**FILED**  
KING COUNTY WASHINGTON

FEB 03 2016

SUPERIOR COURT CLERK  
BY MOLLY SIMON  
DEPUTY

**STATE OF WASHINGTON  
KING COUNTY SUPERIOR COURT**

STATE OF WASHINGTON,  
DEPARTMENT OF ECOLOGY,

NO. 95-2-15301-1

Plaintiff,

ORDER FOR DISMISSAL

v.

EARLE M. JORGENSEN CO.,  
DENNIS F. and SHIRLEY A.  
BECKWITH, and NORTHWEST  
SLAG PRODUCTS, INC.,

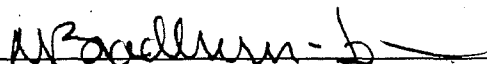
Defendants.

THIS MATTER having come before the undersigned judge of the above-entitled Court, now, therefore,

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

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that dismissal of this action 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 XII (Retention of Records), XVIII (Covenant Not To Sue Under MTCA; Reopeners), XIX (Contribution Protection), XX (Indemnification), and XXV (Public Participation).

Entered this \_\_\_\_\_ day of 2/3, 2016.

  
JUDGE  
King County Superior Court

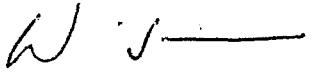
1 Presented by:

2 ROBERT W. FERGUSON  
3 Attorney General

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5 ALLYSON C. BAZAN, WSBA #44221  
6 Assistant Attorney General  
7 Attorneys for Plaintiff  
8 State of Washington  
9 Department of Ecology  
10 (360) 586-3589  
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13 DENNIS F. and SHIRLEY A. BECKWITH  
14 NORTHWEST SLAG PRODUCTS, INC.

15 

16 WILLIAM A. SMITH II, DC Bar #472435  
17 Senior Vice President, General Counsel and  
18 Corporate Secretary of Reliance Steel &  
19 Aluminum Co. (Parent of EMJ)  
20 Attorney for Defendant EMJ and Authorized  
21 Representative of Defendants Dennis F. and  
22 Shirley A. Beckwith and Northwest Slag  
23 Products, Inc  
24 (213) 687-7700  
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26