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7 **IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON**
8 **IN AND FOR THE COUNTY OF KING**

9 STATE OF WASHINGTON,
10 DEPARTMENT OF ECOLOGY,

11 Plaintiff,

12 v.

13 CITY OF BOTHELL, BOTHELL
14 SERVICE CENTER ASSOCIATES,
15 NORMAN OLSEN, NANCY OLSEN,
LANCE CROSS, ANITA CROSS, ROSS
LUNDE, and ESTATE OF MERCER
RHODES,

16 Defendants.

NO. 18-2-02852-3 SEA

JOINT MOTION FOR ENTRY OF
CONSENT DECREE

17
18 **I. INTRODUCTION**

19 COMES NOW Plaintiff, State of Washington, Department of Ecology, and the
20 Defendants, City of Bothell (City), Bothell Service Center Associates (BSCA), Norman Olsen,
21 Nancy Olsen, Lance Cross, Anita Cross, Ross Lunde, and the Estate of Mercer Rhodes
22 (collectively the Defendants), and jointly bring this motion seeking entry of the Consent
23 Decree in the matter captioned above. This motion is based upon the pleadings filed in this
24 matter, including the Declaration of Jeromeo Cruz, a Site Manager for Ecology's Toxics
25 Cleanup Program. The Consent Decree has been signed by the parties to this action and has
26 been the subject of public notice and comment as required by RCW 70.105D.040(4)(a).

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1 E. This Decree has been subject to public notice and comment. Ecology reviewed
2 and considered all comments received and has determined that no modification of the Cleanup
3 Action Plan or Consent Decree is required, and that no additional public comment is required.
4 Cruz Decl. ¶ 7.

5 F. Ecology has determined that this Decree will lead to a more expeditious cleanup
6 of hazardous substances at the Site in compliance with cleanup standards established under
7 RCW 70.105D.030(2)(e) and WAC 173-340. Cruz Decl. ¶ 8.

8 **V. CONCLUSION**

9 The Parties believe it is appropriate for the Court to exercise its discretion and approve
10 the attached Consent Decree, and hereby request that the Court enter the attached Order. The
11 parties further request that the Court retain jurisdiction to enforce the terms of the Consent
12 Decree.

13 DATED this ____ day of ____, 2018.

14 ROBERT W. FERGUSON
15 Attorney General

K&L GATES



16
17 ANN C. ESSKO, WSBA #15472
18 Senior Counsel
19 Attorneys for State of Washington
20 Department of Ecology
21 360-586-3633

CRAIG TRUEBLOOD, WSBA #18357
Attorney for City of Bothell
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22 YARMUTH WILSDON PLLC

23 RALPH PALUMBO, WSBA #4751
24 Attorney for Bothell Service Center
25 Associates, Norman Olsen, Nancy Olsen,
26 Lance Cross, Anita Cross, Ross Lunde,
and the Estate of Mercer Rhodes
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13 DATED this 1st day of February, 2018.

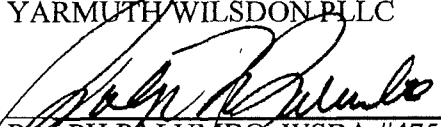
14 ROBERT W. FERGUSON
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