

1  
2  
3  
4  
5  
6  
7 STATE OF WASHINGTON  
8 ADAMS COUNTY SUPERIOR COURT

CONFIRM AND RETURN

9 STATE OF WASHINGTON,  
10 DEPARTMENT OF ECOLOGY,

NO. 97-2-00237-4

11 Plaintiff,

[PROPOSED] ORDER GRANTING  
JOINT MOTION TO DISMISS  
CONSENT DECREE

12 v.

13 THE BURLINGTON NORTHERN &  
14 SANTA FE RAILWAY COMPANY,

Defendant.

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

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

21 Dated this 3<sup>rd</sup> day of March, 2014 in Ritzville, Washington.

22 **STEVE DIXON**

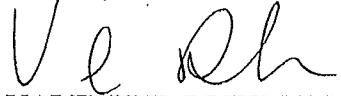
23 JUDGE  
24 Adams County Superior Court

25 //

26 //


1 Presented by:

2 ROBERT W. FERGUSON  
3 Attorney General

4 

5 VALERIE K. RICKMAN, WSBA #46812  
6 Assistant Attorney General  
7 Attorneys for Plaintiff  
8 State of Washington  
9 Department of Ecology  
10 (360) 586-6762

11 THE BURLINGTON NORTHERN &  
12 SANTA FE RAILWAY COMPANY

13   
14 CRAIG S. TRUEBLOOD, WSBA #18357  
15 Attorney for Defendant  
16 The Burlington Northern & Santa Fe  
17 Railway Company  
18 (206) 370-8368  
19  
20  
21  
22  
23  
24

25 F:\CASES\WASTE\SECTION\COMMON\CONSENT\DECREE\CD DISMISSAL PROJECT\BN-OTHELLO 97-2-00237-4\14-02-  
26 13PPORDERJTMOTTODISMISSCONSENTDECREEFINAL.DOCX