

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Dec 10, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

BARBARA DAVIS, as Personal
Representative of the Estate of G.B.,
deceased,

Plaintiff,

v.

WASHINGTON STATE
DEPARTMENT OF SOCIAL AND
HEALTH SERVICES; JENNIFER
STRUS, individually and in her official
capacity acting under the color of state
law; HEIDI KAAS, individually and in
her official capacity acting under the
color of state law; MELISSA
KEHMEIER, individually and in her
official capacity acting under the color of
state law; JAMES DESMOND,
individually and in his official capacity
acting under the color of state law;
CASSIE ANDERSON, individually and
in her official capacity acting under the
color of state law; BRINA CARRIGAN,
individually and in her official capacity
acting under the color of state law;
MAGGIE STEWART, individually and
in her official capacity acting under the
color of state law; LORI BLAKE,
individually and in her official capacity
acting under the color of state law;
SHANNON SULLIVAN, individually
and in her official capacity acting under

No. 2:17-cv-00062-SMJ

**ORDER DISMISSING
DEFENDANTS AND DIRECTING
JOINT STATUS REPORT**

ORDER DISMISSING DEFENDANTS AND DIRECTING JOINT STATUS
REPORT – 1

1 the color of state law; SUSAN
2 STEINER, individually and in her
3 official capacity acting under the color of
4 state law; CAMERON NORTON,
5 individually and in his official capacity
6 acting under the color of state law;
7 SARAH OASE, individually and in her
8 official capacity acting under the color of
9 state law; RANA PULLOM,
10 individually and in her official capacity
11 acting under the color of state law;
12 DONALD WILLIAMS, individually
13 and in her official capacity acting under
14 the color of state law; CHRIS MEJIA,
15 individually and in his official capacity
16 acting under the color of state law;
17 RIVERSIDE SCHOOL DISTRICT NO.
18 416, a Municipal Corporation duly
19 organized and existing under the laws of
20 Washington State; TOM STOKES,
individually and in his official capacity
and the marital community comprised
thereof; JEREMY KIRKLAND,
individually and in his official capacity
and the marital community comprised
thereof; JANE DOE STOKES, and the
marital community comprised thereof;
JANE DOE KIRKLAND, and the
marital community comprised thereof;
and JOHN DOES 1–50,

Defendants.

Before the Court, without oral argument, is the parties’ Stipulated Motion for Dismissal of Defendants Sarah Oase, James Desmond, Jeremy Kirkland, Tom Stokes, and Heidi Kaas, ECF Nos. 422.

1 Consistent with the parties' agreement and Federal Rule of Civil Procedure

2 41(a)(1)(A)(ii), **IT IS HEREBY ORDERED:**

3 **1.** The parties' Stipulated Motion for Dismissal of Defendants Sarah
4 Oase, James Desmond, Jeremy Kirkland, Tom Stokes, and Heidi Kaas,
5 **ECF No. 422**, is **GRANTED**.

6 **2.** All claims against Tom Stokes, Sarah Oase, James Desmond, Jeremy
7 Kirkland, and Heidi Kaas are **DISMISSED WITH PREJUDICE**,
8 with all parties to bear their own costs and attorney fees.

9 **3.** The Clerk's Office is directed to **AMEND** the caption as follows:

10 BARBARA DAVIS, as Personal Representative of the Estate of
11 G.B., deceased,

12 Plaintiff,

13 v.

14 WASHINGTON STATE DEPARTMENT OF SOCIAL AND
15 HEALTH SERVICES; JENNIFER STRUS, individually and in her
16 official capacity acting under the color of state law; MELISSA
17 KEHMEIER, individually and in her official capacity acting under
18 the color of state law; CASSIE ANDERSON, individually and in
19 her official capacity acting under the color of state law; BRINA
20 CARRIGAN, individually and in her official capacity acting under
the color of state law; MAGGIE STEWART, individually and in
her official capacity acting under the color of state law; LORI
BLAKE, individually and in her official capacity acting under the
color of state law; SHANNON SULLIVAN, individually and in her
official capacity acting under the color of state law; SUSAN
STEINER, individually and in her official capacity acting under the
color of state law; CAMERON NORTON, individually and in his


1 official capacity acting under the color of state law; RANA
2 PULLOM, individually and in her official capacity acting under the
3 color of state law; DONALD WILLIAMS, individually and in her
4 official capacity acting under the color of state law; CHRIS MEJIA,
5 individually and in her official capacity acting under the color of
6 state law; RIVERSIDE SCHOOL DISTRICT NO. 416, a
7 Municipal Corporation duly organized and existing under the laws
8 of Washington State; JANE DOE STOKES, and the marital
9 community comprised thereof; JANE DOE KIRKLAND, and the
10 marital community comprised thereof; and JOHN DOES 1–50,

11 Defendants.

- 12
- 13 **4.** The hearing on Plaintiff’s Motion for Partial Summary Judgment
14 Against WSDSHS, **ECF No. 412**, is **STRICKEN**.
- 15 **5.** **ALL** remaining parties are directed to **FILE** a **joint status report** by
16 no later than **December 17, 2020** updating the Court on the **status of**
17 **settlement** as to each of the remaining parties and **proposing a**
18 **briefing schedule** as to Plaintiff’s Motion for Partial Summary
19 Judgment Against WSDSHS, ECF No. 412.

20 **IT IS SO ORDERED.** The Clerk’s Office is directed to enter this Order and
provide copies to all counsel.

DATED this 10th day of December 2020.


SALVADOR MENDOZA, JR.
United States District Judge