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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

GINA KIM, on behalf of a class consisting of herself and all other persons similarly situated,)	Cause No. 2:11-CV-00214 RSM
)	
Plaintiffs,)	[PROPOSED] ORDER GRANTING
)	MOTION TO STRIKE AND FOR
vs.)	SANCTIONS PURSUANT TO
)	WASHINGTON’S ANTI-SLAPP
)	STATUTE, RCW 4.24.525
COACH, INC., a Maryland corporation, and COACH SERVICES, INC., a Maryland corporation,)	
)	NOTED FOR CONSIDERATION:
Defendants.)	FRIDAY, APRIL 1, 2011

This matter came before the Court on counterclaim defendants’ Motion to Strike and for Sanctions Pursuant to Washington’s Anti-SLAPP Statute, RCW 4.24.525 (the “Motion.”) The Court has reviewed the papers filed in support of and opposition to the Motion, and has heard the arguments of counsel. Based on the foregoing, the Court does hereby FIND and ORDER:

1. The Motion to Strike is GRANTED. The counterclaim plaintiffs have failed to prove by clear and convincing evidence a probability of prevailing on their defamation claims. The defamation counterclaims asserted in the Answer, Docket No. 6, are hereby DISMISSED WITH PREJUDICE.

2. The Motion for Sanctions is GRANTED. The Court awards to the counterclaim defendants their attorney fees and costs expended in preparing and arguing the Motion. The

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[PROPOSED] ORDER ON MOTION
TO STRIKE

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1 counterclaim defendants shall within one week of this Order submit to the Court an accounting
2 of their attorney fees and costs. The counterclaim plaintiffs shall have one week to submit any
3 objection to this accounting. This Court will then issue a final Order compelling the payment of
4 attorney fees and costs by the counterclaim plaintiffs to the counterclaim defendants.

5 3. The Court awards to the counterclaim defendants the statutorily mandated
6 sanction of \$10,000.

7 4. In order to deter future conduct by these parties and others similarly situated, the
8 Court hereby awards an additional sanction in the amount of \$_____ against
9 counterclaim plaintiff Coach, Inc. to counterclaim defendants. The Court hereby awards an
10 additional sanction in the amount of \$_____ against counterclaim plaintiff's counsel,
11 DLA Piper, to counterclaim defendants. The counterclaim plaintiff and their counsel shall have
12 one week from the entry of this Order to pay the sanctions in paragraph (3) and (4) of this Order.
13

14 IT IS SO ORDERED

15 Done in open Court on this ___ day of _____, 2011.

16
17 _____
18 The Honorable Ricardo S. Martinez

19 Presented by:

20 /s/ _____
21 Jay S. Carlson, WSBA No. 30411
22 Carlson Legal
23 Christopher Carney, WSBA No. 30325
24 Carney Gillespie & Isitt PLLC
25 Jason Moore
26 Van Eyk & Moore, PLLC
27 100 W. Harrison St., Suite N440
28 Seattle, WA 98119
Attorneys for Counterclaim Defendants

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