

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

Honorable Barbara J. Rothstein

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

KING COUNTY, a Washington municipal corporation,  
  
Plaintiff,  
  
v.  
  
TRAVELERS INDEMNITY COMPANY;  
*et al.*,  
  
Defendants.

No.: 2:14-cv-01957 BJR  
  
STIPULATED MOTION AND ORDER OF DISMISSAL WITH PREJUDICE  
  
Note On Motion Calendar: May 24, 2019

Pursuant to F.R.C.P. 41(a)(1)(A)(ii), and following the Court’s Order Granting Employers Insurance of Wausau’s Sealed Motion for Order Approving Settlement and Barring Contribution Claims (Dkt. 777), plaintiff, King County, and defendant, Employers Insurance of Wausau, formerly known as Employers Mutual Liability Insurance Company of Wisconsin (“Wausau”), acting by and through their respective undersigned counsel of record, hereby stipulate that King County’s claims against Wausau, and Wausau’s counterclaim against King County, in the above-captioned matter, under Wausau policy nos. 2325-00-034044 and 2335-00-034044, are dismissed with prejudice, and without an award of fees or costs to either party. This stipulation does not affect the remaining claims of King County in its Fourth Amended Complaint against any other defendant.

AGREED AND STIPULATED.

STIPULATED MOTION AND ORDER OF DISMISSAL WITH PREJUDICE - 1  
NO.: 2:14-CV-01957

K&L GATES LLP  
925 FOURTH AVENUE, SUITE 2900  
SEATTLE, WA 98104-1158  
TELEPHONE: +1 206 623 7580  
FACSIMILE: +1 206 623 7022

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

RESPECTFULLY SUBMITTED this 24th day of May, 2019.

By /s/ John C. Bjorkman

John C. Bjorkman, WSBA #13426  
K&L Gates LLP  
925 Fourth Avenue, Suite 2900  
Seattle, Washington 98104  
Phone: (206) 623-7580  
Fax: (206) 623-7022  
Email: john.bjorkman@klgates.com

Michael J. Lynch (admitted *pro hac vice*)  
Paul E. Del Vecchio (admitted *pro hac vice*)  
Douglas J. Simmons (admitted *pro hac vice*)  
John M. Hagan (admitted *pro hac vice*)  
K&L Gates LLP  
210 Sixth Avenue  
Pittsburgh, PA 15222  
Phone: (412) 355-6500  
Fax: (412) 355-6501  
Email: michael.lynch@klgates.com  
Email: paul.delvecchio@klgates.com  
Email: doug.simmons@klgates.com  
Email: john.hagan@klgates.com

*Attorneys for King County*

By /s/ Bryan M. Barber

Mark A. Horey, WSBA #33558  
Law Office of Elizabeth G. Smith  
1730 Minor Avenue, Suite 1130  
Seattle, WA 98101  
Phone: (206) 403-4803  
Fax: (877) 338-4416  
Email: horeym1@nationwide.com

Bryan M. Barber (admitted *pro hac vice*)  
Laurie E. Barber  
Barber Law Group  
525 University Avenue, Suite 600  
Palo Alto, CA 94301  
Phone: (415) 273-2930  
Fax: (415) 273-2940  
Email: bbarber@barberlg.com  
Email: lbarber@barberlg.com

*Attorneys for Defendant Employers Insurance of  
Wausau*

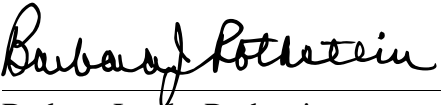
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**ORDER**

Pursuant to F.R.C.P. 41(a)(1)(A)(ii), and following the Court’s Order Granting Employers Insurance of Wausau’s Sealed Motion for Order Approving Settlement and Barring Contribution Claims (Dkt. 777), King County’s claims against Wausau, and Wausau’s counterclaim against King County, in the above-captioned matter, under Wausau policy nos. 2325-00-034044 and 2335-00-034044, are dismissed with prejudice, and without an award of fees or costs to either party.

This Order does not affect the remaining claims of King County in its Fourth Amended Complaint against any other defendant.

DATED this 29th day of May, 2019.

  
Barbara Jacobs Rothstein  
U.S. District Court Judge