

1  
2  
3  
4  
5  
6 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 SWINOMISH INDIAN TRIBAL  
9 COMMUNITY, a federally recognized  
Indian Tribe,  
10  
11 Plaintiff,

12 v.

13 BNSF RAILWAY COMPANY, a Delaware  
corporation,  
14  
15 Defendant.

No. 2:15-cv-00543-RSL

ORDER GRANTING STIPULATED  
MOTION FOR LEAVE TO SEAL

16  
17 THIS MATTER comes before the Court on Defendant BNSF Railway Company's  
18 ("BNSF") and Plaintiff Swinomish Indian Tribal Community (the "Tribe")'s Stipulated Motion  
19 for Leave to Seal ("Motion"). The Court has reviewed the Motion, the relevant law, and the  
20 relevant portions of the record. Having considered these filings, the Court **GRANTS** the Motion  
21 and **ORDERS** that the following filings may remain under seal:

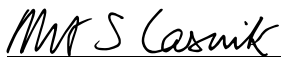
- 22
- 23 • The Expert Report of Michael Baranowski;
  - 24 • The Rebuttal Report of Michael Baranowski;
  - 25 • Deposition Exhibit 78;
- 26  
27

ORDER GRANTING STIPULATED  
MOTION FOR LEAVE TO SEAL - 1  
Cause No. 2:15-cv-00543-RSL

PACIFICA LAW GROUP LLP  
1191 SECOND AVENUE  
SUITE 2000  
SEATTLE, WASHINGTON 98101-3404  
TELEPHONE: (206) 245.1700  
FACSIMILE: (206) 245.1750

- Revised Deposition Exhibit 81 (tables from Michael Baranowski's Rebuttal Report);
- Deposition Exhibit 87;
- The Expert Report of Daniel Fapp; and
- The Rebuttal Report of Daniel Fapp.

Dated this 1st day of April, 2024.

  
Robert S. Lasnik  
United States District Judge

*Presented by:*

PACIFICA LAW GROUP LLP

By: /s/ Paul J. Lawrence

Paul J. Lawrence, WSBA #13557

Kai Smith, WSBA #54749

Meha Goyal, WSBA #56058

*Attorneys for Defendant BNSF Railway*

AGREED AS TO FORM

NOTICE OF PRESENTATION WAIVED:

TOUSLEY BRAIN STEPHENS PLLC

By: /s/ Rebecca L. Solomon

Christopher I. Brain, WSBA #5054

Chase C. Alvord, WSBA #26080

Rebecca L. Solomon, WSBA #51520

OFFICE OF THE TRIBAL ATTORNEY, SWINOMISH  
INDIAN TRIBAL COMMUNITY

Stephen T. LeCuyer, WSBA #36408

Weston R. LeMay, WSBA #51916

*Attorneys for Plaintiff*

ORDER GRANTING STIPULATED  
MOTION FOR LEAVE TO SEAL - 2  
Cause No. 2:15-cv-00543-RSL

PACIFICA LAW GROUP LLP  
1191 SECOND AVENUE  
SUITE 2000  
SEATTLE, WASHINGTON 98101-3404  
TELEPHONE: (206) 245.1700  
FACSIMILE: (206) 245.1750