

The Honorable Ricardo S. Martinez

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

TRACY BROWN,

Plaintiff,

vs.

KIRBY OFFSHORE MARINE PACIFIC,  
LLC, a Washington Limited Liability  
Company; Does 1-20,

Defendants.

GEOGRAPHIC FISHERIES, LLC,

Intervenor-Plaintiff,

vs.

KIRBY OFFSHORE MARINE PACIFIC,  
LLC, a Washington Limited Liability  
Company; Does 1-20

Defendant Counterclaimant,

Case No. 2:16-cv-00736-RSM

**STIPULATED MOTION AND ORDER OF  
DISMISSAL WITH PREJUDICE AS TO  
ALL PENDING CLAIMS**

1 KIRBY OFFSHORE MARINE PACIFIC, )  
2 LLC, a Washington Limited Liability )  
3 Company, )  
4 Third-Party Plaintiff, )  
5 vs. )  
6 SILVER BAY SEAFOODS, LLC )  
7 Third-Party Defendant. )  
8 )

9 **MOTION AND STIPULATION**

10 COME NOW Plaintiff Tracy Brown (“Brown”), through his counsel Anthony M. Urie;  
11 Intervenor-Plaintiff Geographic Fisheries, LLC (“Geographic”), through its counsel Robert  
12 Kehoe; Defendant/Counterclaimant/Third-Party Plaintiff Kirby Offshore Marine Pacific, LLC  
13 (“Kirby”), through its counsel Valerie I. Holder and Philip Lempriere; and Third-Party  
14 Defendant Silver Bay Seafoods, LLC (“Silver Bay”), through its counsel Robert Kehoe,  
15 (collectively referred to as the “Parties”) and hereby move to dismiss with prejudice all claims  
16 pending against each party.

17 The Parties reached a settlement and agree to the following motion requesting dismissal  
18 of this matter with prejudice.

19 **DISMISSAL WITH PREJUDICE**

20 In accordance with Fed. R. Civ. P. 41, the Parties request that the Court direct the Clerk  
21 to enter a judgment of dismissal with prejudice and without an award of attorneys’ fees or costs  
22 to any Party as to (1) Brown’s claims pending against Kirby; (2) Geographic’s claims pending  
23 against Kirby; (3) Kirby’s counterclaims pending against Geographic; and (3) Kirby’s third-party  
24 claims pending against Silver Bay.

25  
26 Dated: June 27, 2017

/s/ Anthony M. Urie  
ANTHONY M. URIE, WSBA No. 11711  
Attorney for Plaintiff

1 Dated: June 27, 2017

/s/ Valerie I. Holder

PHILIP R. LEMPRIERE, WSBA No. 20304

VALERIE I. HOLDER, WSBA No. 42968

Attorneys for Defendant, Defendant

Counterclaimant, and Third-Party Plaintiff

4 Dated: June 27, 2017

/s/ Robert F. Kehoe

ROBERT F. KEHOE, WSBA No. 21873

BRIAN C. ZUANICH, WSBA No. 43877

Attorneys for Intervenor-Plaintiff

Geographic Fisheries, Inc. and

Third-Party Defendant

Silver Bay Seafoods, LLC

9 **ORDER**

10 The Court has reviewed the Stipulation, above.

11 IT IS ORDERED, ADJUDGED, AND DECREED that this matter is DISMISSED WITH  
12 PREJUDICE and that all Parties shall bear their own costs and attorney fees.

13 AND IT IS FURTHER ORDERED that the following are all DISMISSED WITH  
14 PREJUDICE: (1) the original complaint, Tracy Brown v. Kirby Offshore Marine Pacific, LLC;  
15 (2) the complaint by Intervenor, Geographic Fisheries, LLC v. Kirby Offshore Marine Pacific,  
16 LLC; (3) the crossclaims by Kirby Offshore Marine Pacific, LLC against Geographic Fisheries,  
17 LLC; and (4) the third-party complaint by Kirby Offshore Marine Pacific, LLC v. Silver Bay  
18 Seafoods, LLC .

19 This case is now CLOSED.

20 DATED this 28 day of June, 2017.

22 

23 RICARDO S. MARTINEZ

24 CHIEF UNITED STATES DISTRICT JUDGE

25 Agreed for entry;  
26 Presented through stipulation by:

27 /s/ Anthony M. Urie

Attorney for Plaintiff

28 Tracy Brown

Case No.: 2:16-CV-00736-RSM

STIPULATED MOTION AND ORDER OF DISMISSAL WITH  
PREJUDICE AS TO ALL PENDING CLAIMS - 3

1  
2 /s/ Valerie I. Holder  
3 Attorneys for Defendant, Counterclaimant,  
4 and Third-Party Plaintiff  
5 Kirby Offshore Marine Pacific, LLC

6 /s/ Robert F. Kehoe  
7 Attorneys for Intervenor-Plaintiff  
8 Geographic Fisheries, Inc. and  
9 Third-Party Defendant  
10 Silver Bay Seafoods, LLC  
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