

The Honorable Ricardo S. Martinez

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

TRACY BROWN,) Case No. 2:16-cv-00736-RSM
vs.) Plaintiff,) **STIPULATED MOTION AND ORDER OF**
KIRBY OFFSHORE MARINE PACIFIC,) **DISMISSAL WITH PREJUDICE AS TO**
LLC, a Washington Limited Liability) **ALL PENDING CLAIMS**
Company; Does 1-20,)
Defendants.)
GEOGRAPHIC FISHERIES, LLC,)
vs.) Intervenor-Plaintiff,)
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

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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

27 ANTHONY M. URIE, WSBA No. 11711
28 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.



21
22 RICARDO S. MARTINEZ
23 CHIEF UNITED STATES DISTRICT JUDGE
24

25 Agreed for entry;
26 Presented through stipulation by:

27 /s/ Anthony M. Urie
28 Attorney for Plaintiff
Tracy Brown

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PREJUDICE AS TO ALL PENDING CLAIMS

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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