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Honorable Thomas S. Zilly

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

NATIONAL UNION FIRE INSURANCE  
COMPANY OF PITTSBURGH, PA., a  
Pennsylvania insurance company,  
  
Plaintiff,  
  
v.  
  
SEATTLE SCHOOL DISTRICT NO. 1, a  
Washington municipal corporation,  
  
Defendant.

No. 2:16-CV-01534-TSZ

STIPULATION AND ORDER OF  
DISMISSAL OF COUNTERCLAIMS  
WITH PREJUDICE

**STIPULATION FOR DISMISSAL**

COME NOW the parties, by and through their undersigned counsel and hereby notify the Court that in light of this Court’s order of May 18, 2018, and Minute Entry entered on May 21, 2018, Seattle School District No. 1 (“SSD”) has decided to not pursue its counterclaims for extra-contractual claims for bad faith, violation of the Washington Unfair Claims Settlement Practices Act (WAC 284-30, *et seq.*), violation of the Consumer Protection Act (RCW 19.86, *et seq.*), and violation of the Insurance Fair Conduct Act (RCW 48.30.015). Accordingly, the parties now request that this Court enter the parties’ Order of Dismissal with Prejudice as to the Counterclaims.

STIPULATION AND ORDER OF DISMISSAL OF  
COUNTERCLAIMS WITH PREJUDICE- 1  
2:16-CV-01534-TSZ  
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**PATTERSON BUCHANAN  
FOBES & LEITCH, INC., P.S.**  

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2112 Third Avenue, Suite 500, Seattle WA 98121  
Tel. 206.462.6700 Fax 206.462.6701

1 IT IS HEREBY STIPULATED AND AGREED by the parties that SSD's  
2 counterclaims are dismissed in their entirety, with prejudice, pursuant to Rule 41(a)(2) of the  
3 Federal Rules of Civil Procedure.

4 IT IS FURTHER STIPULATED AND AGREED that each party is to bear his, her, or  
5 its own costs and attorneys' fees.

6 DATED this 27th day of June, 2018.  
7

8 PATTERSON BUCHANAN  
9 FOBES & LEITCH, INC., P.S.

GORDON REES SCULLY  
MANSUKHANI, LLP

10 By: s/ Kevin J. Kay

11 Kevin J. Kay, WSBA 34546  
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By: s/ Donald J. Verfurth

s/ Sally S. Kim  
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**ORDER OF DISMISSAL WITH PREJUDICE**

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The Court, having reviewed the parties' Stipulation for Dismissal, herby ORDERS:

1. That SSD's counterclaims are DISMISSED with prejudice; and
2. The parties shall bear their own fees and costs associated with the counterclaims.

SO ORDERED this 28th day of June, 2018.



Thomas S. Zilly  
United States District Judge