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HONORABLE MARY ALICE THEILER

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MACHELL SHERLES, as Successor Executor
and Trustee in the ESTATE OF ANN R. RULE,
King County, Washington Probate Cause No.
15-4-04420-3 KNT

CASE NO. 2:18-CV-00016-MAT

Plaintiff,

[~~PROPOSED~~] STIPULATED MOTION TO
DISMISS WITH PREJUDICE AND
WITHOUT COSTS

v.

FOLEY AGENCY, INC. a New York
corporation, and JOANN FOX, a Florida
Resident

Defendants.

STIPULATION

The parties to this action, consisting of Plaintiff, **Machell Sherles**, the Successor
Executor and Trustee of the Rule Estate (Plaintiff) and Defendant, **JoAnn Fox**, a married
individual (Defendant) through their undersigned counsel of record, stipulate and agree:

1. The parties hereto have entered into a Settlement Agreement, a copy of
which is attached hereto and is made a part hereof. As a part of the Settlement Agreement, the
parties have acknowledged and agreed that the agency relationship between the Ann Rule

1 Estate and Joan Foley, d.b.a. Foley Agency is terminated. The Settlement Agreement directs
2 that the publishers of Ann Rule works pay to the Estate of Ann Rule all royalties due from the
3 sale of her books and which were withheld pending the resolution of the dispute as to agency.

4 2. Defendant JoAnn Fox is relieved of any further accounting to the Estate
5 of Ann Rule and has no further obligations to pay to the Estate of Ann Rule royalties
6 previously received from the Ann Rule publishers and may retain agency fees retained by her
7 as earned fees.

8 3. A copy of the Settlement Agreement shall be filed in the Estate of Ann
9 Rule, King County, Washington Probate Cause No. 15-4-04420-3 KNT and the Estate of Joan
10 Foley, Surrogate's Court of the State of New York, County of New York, File No. 2016-2112.

11 4. The Complaint herein and this action shall be dismissed forthwith **with**
12 **prejudice and without fees or costs** to any party.

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15 Respectfully Submitted on August 2, 2018

16 For Plaintiff

16 For Defendant JoAnn Fox

17 /s/ Rex B. Stratton

17 /s/ Diana S. Hill

18 Rex B. Stratton, WSBA No. 1913

18 Diana S. Hill, WSBA No. 36610

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1 **ORDER**

2 This matter having come before this Court on the foregoing Stipulation of the parties by
3 and through their undersigned counsel of record and the Court being fully advised in the
4 premises, it is hereby:
5

6 ORDERED that the Settlement Agreement of the parties be entered into the record of
7 this Court and shall be filed in the Estate of Ann Rule, King County, Washington Probate Cause
8 No. 15-4-04420-3 KNT and the Estate of Joan Foley, Surrogate's Court of the State of New
9 York, County of New York, File No. 2016-2112; and be it
10

11 FURTHER ORDERED that the Complaint herein and this action be and the same is
12 hereby DISMISSED WITH PREJUDICE and without fees or costs of any party.

13 DATED: August 2, 2018.

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16 Mary Alice Theiler
17 United States Magistrate Judge
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