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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 BAO XUYEN LE, et al.,

9 Plaintiffs,

10 v.

11 REVEREND DR. MARTIN LUTHER
12 KING, JR. COUNTY, et al.,

13 Defendants.

C18-55 TSZ

MINUTE ORDER

14 The following Minute Order is made by direction of the Court, the Honorable
15 Thomas S. Zilly, United States District Judge:

16 (1) The deferred portions of defendant King County's motion for summary
17 judgment, docket no. 78, are GRANTED in part and DENIED in part, as follows.

18 (a) With respect to plaintiffs' outrage claim, King County's motion for
19 summary judgment is GRANTED, and the outrage claim (Third Cause of Action
20 in the Second Amended Complaint) is DISMISSED with prejudice. The Court
21 will issue a separate order explaining its reasoning.

22 (b) King County's motion for summary judgment is otherwise DENIED.
23 Having reviewed the entire transcript of the Rule 30(b)(6) deposition of Chief Lisa
Mulligan, docket no. 175-1, the certification signed by Erin Overbey, Legal
Advisor for the King County Sheriff's Office, docket no. 176, and the other
materials presented by the parties, and having considered the oral arguments of
counsel at the hearing on May 16, 2019, the Court CONCLUDES that genuine
disputes of material fact preclude summary judgment with respect to whether King
County may be held liable pursuant to *Monell v. Dep't of Soc. Servs. of N.Y.C.*,
436 U.S. 658 (1978), and its progeny. *See* Fed. R. Civ. P. 56(a).

1 (2) The Clerk is directed to send a copy of this Minute Order to all counsel of
record.

2 Dated this 17th day of May, 2019.

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4 William M. McCool
Clerk

5 s/Karen Dews
6 Deputy Clerk

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