Honorable James L. Robart 1 2 3 4 5 UNITED STATES DISTRICT COURT 6 WESTERN DISTRICT OF WASHINGTON AT SEATTLE 7 KEITH EMMANUEL; RICHARD 8 HOMCHICK; and CHARLES PETERS, as No. 2:18-cv-00377-JLR 9 individuals. STIPULATED MOTION AND [PROPOSED] ORDER OF DISMISSAL Plaintiffs, 10 WITH PREJUDICE OF ALL CLAIMS AGAINST THE CITY OF BELLEVUE 11 ٧. AND CHIEF MYLETT KING COUNTY, a municipal corporation 12 and responsible entity of the KING NOTE ON MOTION CALENDAR: COUNTY SHERIFF'S OFFICE and the April 1, 2019 13 KING COUNTY PROSECUTING ATTORNEY'S OFFICE; CITY OF 14 BELLEVUE, a municipal corporation and responsible entity of the BELLEVUE 15 POLICE DEPARTMENT; JOHN URQUHART, individually and in his 16 official capacity as King County Sherriff; DANIEL SATTERBERG, individually and 17 in his official capacity as King County Prosecutor; STEVEN MYLETT, 18 individually and in his official capacity as Bellevue Police Chief; and JOHN DOES 19 1-10. 20 Defendants. 21 22 // 23 STIPULATED MOTION AND [PROPOSED] ORDER OF DISMISSAL WITH PREJUDICE OF **SEAMARK LAW GROUP PLLC** 400 WINSLOW WAY E, STE 230 ALL CLAIMS AGAINST THE CITY OF

BELLEVUE AND CHIEF MYLETT

(No. 2:18-cv-00377-JLR) - 1

BAINBRIDGE ISLAND, WA 98110

(206) 502-2510

STIPULATED MOTION 1 Pursuant to FRCP 41(a)(1), Plaintiff Richard Homchick voluntarily dismisses with 2 prejudice all claims against the City of Bellevue and Chief Stephen Mylett. The parties 3 4 request the Court enter the order proposed below. 5 DATED: April 1, 2019 CITY OF BELLEVUE SEAMARK LAW GROUP PLLC 6 Co-Counsel for the City of Bellevue and OFFICE OF THE CITY ATTORNEY Lori M. Riordan, City Attorney 7 Chief Stephen Mylett Co-Counsel for the City of Bellevue and Chief Stephen Mylett 8 s/Cheryl A. Zakrzewski 9 By: s/Geoff Grindeland By: Cheryl A. Zakrzewski Geoffrey M. Grindeland WSBA No. 35798 WSBA No. 15906 10 City of Bellevue Seamark Law Group PLLC 450 – 110<sup>th</sup> Avenue NE 400 Winslow Way E, Ste 230 11 Bainbridge Island, WA 98110 Bellevue, WA 98004 12 (206) 502-2510 Telephone: (425) 452-6829 Fax: (425) 452-7256 geoff@seamarklaw.com czakrzewski@bellevuewa.gov 13 KING COUNTY PROSECUTING 14 BAILEY DUQUETTE, P.C. Counsel for the Plaintiffs ATTORNEY'S OFFICE Counsel for King County Defendants 15 s/David J. Hackett s/Hozaifa Y. Cassubhai By: 16 By: Hozaifa Y. Cassubhai David J. Hackett WSBA No. 21236 WSBA No. 39512 17 Bailey Duquette, P.C. Amy E. Montgomery 500 Union Street, Suite 800 WSBA No. 32068 18 Seattle, WA 98101 King County Prosecutor's Office Telephone: (206) 617-7029 500 Fourth Avenue, Ste. 900 19 Fax: (866) 233-5869 Seattle, WA 98104 Telephone: (206) 296-0430 hozaifa@bailevduquette.com 20 Fax: (206) 296-8819 david.hackett@kingcounty.gov 21 amy.montgomery@kingcounty.gov 22 23 STIPULATED MOTION AND [PROPOSED] ORDER OF DISMISSAL WITH PREJUDICE OF SEAMARK LAW GROUP PLLC ALL CLAIMS AGAINST THE CITY OF 400 WINSLOW WAY E. STE 230 BAINBRIDGE ISLAND, WA 98110 **BELLEVUE AND CHIEF MYLETT** 

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(206) 502-2510

## **ORDER**

Based on the foregoing, all of Plaintiff Richard Homchick's claims against the City of Bellevue and Chief Stephen Mylett are dismissed with prejudice, but without an award of fees or costs to any party. The City of Bellevue and Chief Mylett are no longer parties to this case.

IT IS SO ORDERED.

ATED: 2nd April , 20

Honorable James L. Robart United States District Judge