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The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CITY OF ISSAQUAH, a municipal
corporation,

Plaintiff,

v.

ORA TALUS 90, LLC, a Delaware limited
liability company; and RESMARK EQUITY
PARTNERS, LLC, a Delaware limited liability
company,

Defendants.

No. 2:18-cv-00910-RSM

**STIPULATED MOTION AND
ORDER FOR DISMISSAL WITH
PREJUDICE OF KULCHIN
FOUNDATION DRILLING
COMPANY**

**NOTE ON MOTION CALENDAR:
June 23, 2021**

ORA TALUS 90, LLC, a Delaware limited
liability company; and RESMARK EQUITY
PARTNERS, LLC, a Delaware limited liability
company,

Third-Party Plaintiffs,

v.

TERRA TALUS LLC, a Washington limited
liability company; ELEMENT RESIDENTIAL
INC., a Washington corporation; JOSHUA

STIPULATED MOTION AND ORDER FOR
DISMISSAL WITH PREJUDICE OF KULCHIN
FOUNDATION DRILLING COMPANY- 1
USDC No. 18-cv-00910 RSM

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1 FREED, an individual; J.R. HAYES & SONS,
2 INC., A Washington corporation; and TERRA
3 ASSOCIATES, INC., a Washington
4 corporation,

5 Third-Party Defendants.

6 TALUS 7 & 8 INVESTMENT, LLC, a
7 Washington limited liability company; J.R.
8 HAYES & SONS, INC., a Washington
9 corporation,

10 Fourth-Party Plaintiffs,

11 v.

12 KULCHIN FOUNDATION DRILLING
13 COMPANY, a Washington corporation; and
14 BIG MOUNTAIN ENTERPRISE, LLC, a
15 Washington limited liability company,

16 Fourth-Party Defendants.

17 AND RELATED COUNTERCLAIMS AND
18 CROSSCLAIMS

19 The Parties hereby stipulate that due to the absence of evidence and/or expert opinion
20 that Kulchin Foundation Drilling Company contributed in any way to, or could be at fault for,
21 the earth movement on Talus Parcel 9 occurring the fall of 2015, Kulchin should be dismissed
22 from this case with prejudice and without costs to any Party.

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STIPULATED MOTION AND ORDER FOR
DISMISSAL WITH PREJUDICE OF KULCHIN
FOUNDATION DRILLING COMPANY- 2
USDC No. 18-cv-00910 RSM

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IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED this 23rd day of June, 2021

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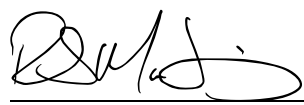
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ORDER

Based on the foregoing stipulation of the Parties, IT IS ORDERED:

All causes of action against Kulchin Foundation Drilling Company are dismissed with prejudice and without costs to any party.

DATED this 24th day of June, 2021.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE

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26 STIPULATED MOTION AND ORDER FOR
DISMISSAL WITH PREJUDICE OF KULCHIN
FOUNDATION DRILLING COMPANY-7
USDC No. 18-cv-00910 RSM

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STIPULATED MOTION AND ORDER FOR
DISMISSAL WITH PREJUDICE OF KULCHIN
FOUNDATION DRILLING COMPANY- 8
USDC No. 18-cv-00910 RSM

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STIPULATED MOTION AND ORDER FOR
DISMISSAL WITH PREJUDICE OF KULCHIN
FOUNDATION DRILLING COMPANY- 9
USDC No. 18-cv-00910 RSM

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DECLARATION OF SERVICE

I, Catherine A. Trimbour, hereby declare that on this day I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the attorneys of record.

DATED at Seattle, Washington, this 23rd day of June, 2021.

/s/ Catherine A. Trimbour
Catherine A. Trimbour, Legal Assistant