

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, et al.

Defendants.

Case No.: 18-cv-00910 RSM

STIPULATION AND ORDER TO WITHDRAW CERTAIN CLAIMS FOR RELIEF ALLEGED AS COUNTERCLAIMS AGAINST THE CITY OF ISSAQUAH

**NOTED ON MOTION CALENDAR:  
June 24, 2021**

**I. STIPULATION**

1. ORA Talus 90, LLC and Resmark Equity Partners, LLC have agreed that they will withdraw their second, third, fourth, fifth and sixth counterclaims alleged against the City of Issaquah without prejudice to prosecution of their first counterclaim which encompasses all of their claims for relief and damages sought against the City of Issaquah.

2. The City of Issaquah agrees to the withdrawal of the second, third, fourth, fifth, and sixth counterclaims on these terms.

3. Based on the foregoing, the City of Issaquah withdraws as moot its pending Motion for Summary Judgment against ORA Talus, 90, LLC and Resmark Equity Partners, LLC.

1 DATED this 24th day of June, 2021.

2 CAIRNCROSS & HEMPELMANN, P.S.

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21 *Attorneys for the City of Issaquah*

*Attorneys for ORA Talus 90, LLC and Resmark  
Equity Partners, LLC*

1 **ORDER**

2 Based on the above stipulation of the parties, the Court grants the stipulated request that (1)  
3 the second, third, fourth, fifth, and sixth counterclaims alleged by ORA Talus 90, LLC and Resmark  
4 Equity Partners, LLC against the City of Issaquah be withdrawn without prejudice to prosecution  
5 the first counterclaim alleged by ORA Talus 90, LLC and Resmark Equity Partners, LLC and (2)  
6 the City of Issaquah’s Motion for Summary Judgment against ORA Talus 90, LLC and Resmark  
7 Equity Partners, LLC be withdrawn as moot.

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9 DATED this 25<sup>th</sup> day of June, 2021.

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12 RICARDO S. MARTINEZ  
13 CHIEF UNITED STATES DISTRICT JUDGE  
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18 Presented by:

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